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## The Topeka Movement.

UNDER the title of "Historical Archives," the Topeka *Commonwealth* of Saturday, June 7, 1879, published the following:

"Hon. Joel K. Goodin<sup>1</sup> has made a very valuable deposit in the collections of the State Historical Society, consisting of the original records of the free-state provisional government of Kansas, which was organized at the Big Springs convention September 5, 1855, under the name of the Free State Executive Committee. Of this committee, Charles Robinson was the first chairman, James H. Lane afterwards succeeding him. Joel K. Goodin was secretary during the existence of the committee, and kept all its records, which he has held in his possession until now. He transmits them to the Historical Society with the following letter:

" 'OTTAWA, FRANKLIN CO., KANSAS, June 2, 1879.

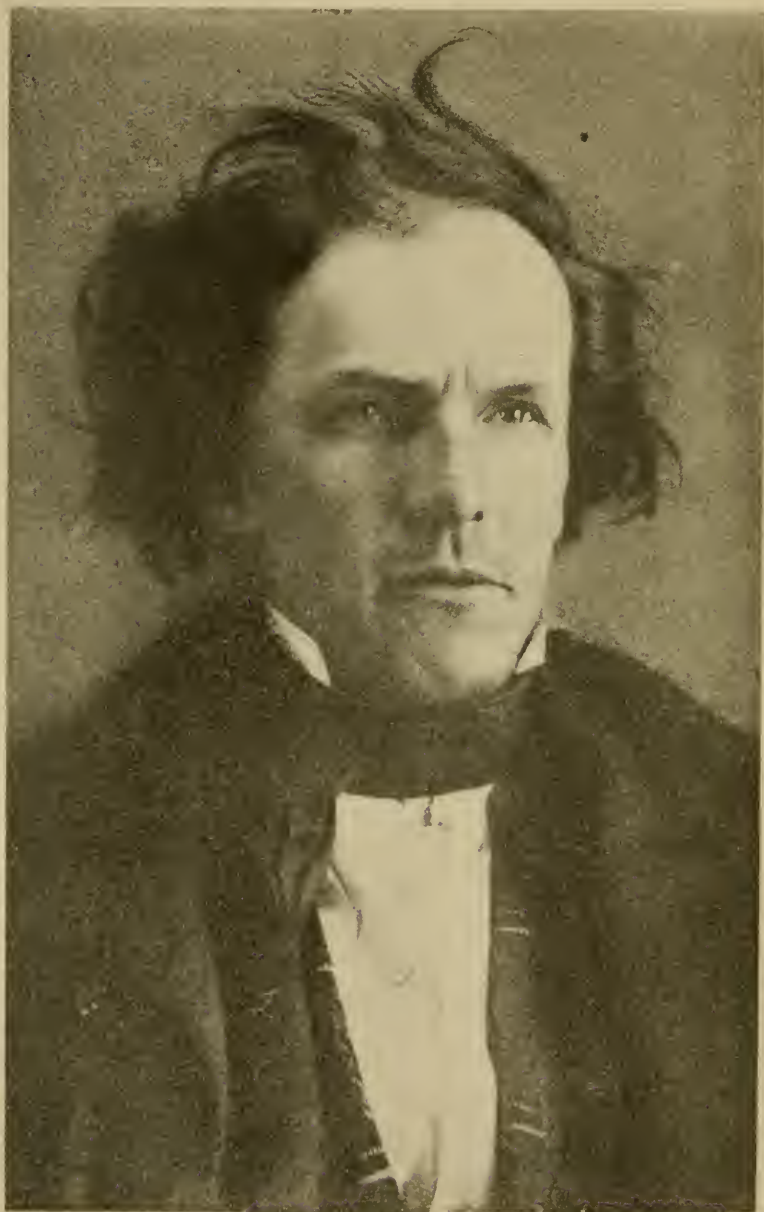
" 'F. G. Adams, Esq., Secretary State Historical Society, Topeka, Kansas:

" 'DEAR SIR—I send you to-day by express, a copy of the Journal of the House of Representatives under the Topeka Constitution; also the record of the Executive Committee—which Committee was the Provisional Government up to the time of the adoption of the "Topeka Constitution" and election of State officers thereunder, &c; also a full record of the expenditures of the Provisional Government up to the time of delivering the same over to the State Government, with number and amount of each piece of scrip issued, and to whom issued, and for what services. In those days that tried men's souls and soles, it may be deemed remarkable that without a dollar in money, we were able to hand over our trust to the State Legislature with an expenditure of only \$15,265.90 in scrip, bearing the signature of the President and Secretary of the Executive Committee only as indorsement that it *must be received as legal tender*, by all Free State men. In the same book you will find the autographs of the officers and members elected to the

NOTE 1.—JOEL KISHLER GOODIN was born in Perry county, Ohio, February 24, 1824. His father's name was John Goodin, his mother's Elizabeth Kishler Goodin. His father was of Scotch-English descent; his mother of German descent. His father was treasurer of Seneca county, Ohio, for eight or ten years; also was elected senator in the Ohio state legislature in 1840.

Joel K. Goodin studied law in Kenton, Ohio; married Miss Elizabeth Christ in Bucyrus, Ohio, on January 8, 1849; removed to Kansas territory on May 16, 1854, locating on a land claim four miles south of Lawrence. Mr. Goodin was the first justice of the peace of Kansas territory, being appointed by Governor Reeder on January 3, 1855. He was active in the various free-state conventions of 1855, and was a delegate to the Big Springs convention and to the Topeka convention to consider the forming of a state government. He acted as vice president of the Topeka convention, and by that body was appointed one of the executive committee which was the provisional government of the territory. He was selected by that committee as its secretary, serving in that capacity until the inauguration of state government under the Topeka constitution. He was elected to the Kansas state house of representatives in 1866 and in 1867, from Douglas county. He was a member of the I. O. O. F. lodge since 1846 and was one of the charter members of the Grand Lodge in Kansas. He practiced law as a profession, locating in Ottawa, Kan., in 1871. He died at the residence of his son, in Ottawa, on December 9, 1894, and was buried in Hope cemetery near that city, where a plain monument marks his grave.

In volume four of the Kansas Historical Collections, pp. 273-274, James F. Legate, who knew Mr. Goodin well, has paid his statesmanship a wonderful tribute. Among other things he says, "He led us through the dark ways by the light of his brain." Of the Executive Committee and Mr. Goodin's work as its secretary he makes the following statement: "This executive committee was the Moses that led us across the sea of oppression . . . he was the soul and the brain and executive power of that committee. . . . Yet the underbrush of forgetfulness has so grown that but few in Kansas know that Joel K. Goodin ever lived."



GENERAL JAMES H. LANE,  
Chairman Executive Committee of Kansas.

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Topeka Constitutional convention, with their residence, occupation, nativity, age, condition in life and politics, secured by me as Secretary of the Executive Committee, and for the purposes indicated in the heading. I trust the financial condition of our State Society ere long will be such as to allow the original idea to be carried out, as I had a premonition at the time that this would be an acquisition in our state history of no mean value. At least it is a flat contradiction of the pro-slavery inuendo, that we were all abolitionists from Boston, Massachusetts, and hired to come to Kansas by the Emigrant Aid Society.

"I also send you the representative of \$25, money actually paid out by me for board, lodging and traveling expenses, as Secretary. I have yet remaining some \$800 of the same kind of currency, taken in lieu of actual cash paid out.

"These relics are very dear to me, and I have hugged them to my heart of hearts, with great pertinacity, as souvenirs of early Kansas life. The more so as I see from year to year the old men and women, who bore the brunt, and suffered the privations of early pioneer life, are being not only ignored, but attempted to be forgotten by the would be stalwarts of more modern advent. Yet having recently been impressed with the idea, that they might be lost to the Society, and the future history of the state, have decided to send them. I have in my library all the volumes I have ever seen written on Kansas, as also a complete file of the "Herald of Freedom," but presuming that you already have what I am possessed of, do not send them. The amount of labor that you are putting in to gather up the odds and ends of our early history is commendable, and I do trust they will be safely guarded and protected from fire and vandalism.

"Accept these from me with the kindest recollections of your enterprise and labors in the interests of the most patriotic, submissive, yet the most determined, manly and heroic of God's humanity that ever settled a new country since the days of our early fathers. Very respectfully,

J. K. GOODIN.' "

## RECORD OF THE EXECUTIVE COMMITTEE OF KANSAS TERRITORY.

The subject matter of the formation of a Constitution for Kansas with a view to its admission into the Union as a State, has for many months engrossed the minds of its citizens. After having exhausted to all human appearances every plan for such redress of our grievances as would satisfy us as Free-men, after having petitioned for succor in our great helplessness and real need, after having remonstrated against the outrages which had been perpetrated upon us, after having denounced as illegal, anti-american, unparralled, and unkind the usurpation of our rights in the bringing of armed mobs to control our elections in *two instances*, (said mobs coming from and residing in foreign states,) our supplications, remonstrances and denunciations, but brought down upon us a rule of tyranny worse than Russian serfdom. A Legislature was attempted to be foisted upon us, in the choice of which our citizenship had no voice. Mis-named laws were passed by that body, (whom we have [believed] and still beli[e]ve to have been convened in contravention of law or precedent) of a character the most humiliating and debasing to an American Citizen if carried out, (and the present Government Official *Wilson Shannon* has expressed his intention to the effect they *shall* be, both in letter and in spirit, in part and in whole). The right of speech stifled, the muzzling of the Press attempted, the right of suffrage wrested from us, and for the paltry sum of One Dollar per-head transferred to any and all, without reference to their residence or citizenship. Debarred from the priv-



ilege of a voice in the election of the most insignificant officers, and in a word making us white Slaves in every sense, it cannot be wondered at, that some such remedy as that of seeking admission as a State *into the Union* should be revolved in the minds of an oppressed and grossly outraged people. The first movement made to this great end, was that of a published call gotten up by C. K. Holliday & J. K. Goodin made on the 15th day of August 1855, for a meeting to be held in Lawrence, at which time and place the Territory was largely represented by the Sovereign Squatters therein, which read as follows:

“MASS MEETING.

“The Squatters of Kansas Territory without distinction of party will assemble in mass meeting at Lawrence on Wednesday 15th day of August at 3 o’clock P. M., to take into consideration the propriety of calling a Territorial Convention preliminary to the formation of a State Government, and other subjects of public interest.

Aug. 15th, 1855.

(Signed) MANY CITIZENS.”

Pursuant to the call a large convention of the people irrespective of party met, and adopted the following Preamble and Resolution (which was reported by a committee of five appointed by the Convention,) with but one dissenting voice. The Committee consisted of G. W. Smith, C. K. Holliday, C. Robinson, John Brown jr. and A. F. Powell.

“Whereas, The people of Kansas Territory have been since its settlement, and now are without any law-making power; therefore, be it

“Resolved, That we the people of Kansas Territory in Mass Meeting assembled, *irrespective* of party distinctions, influenced by a common necessity, and greatly desirous of promoting the common good, do hereby call upon and request all *bona fide* citizens of Kansas Territory, of whatever political views or predilections, to consult together in their respective election districts, and in Mass Convention or otherwise, elect *three* Delegates for each Representative to which such District is entitled, in the House of Representatives of the Legislative Assembly, by Proclamation of Gov. Reeder of date 10th March 1855: Said Delegates to assemble in Convention at the Town of Topeka, on the 19th day of September 1855, then and there to consider upon all subjects of public interest, and *particularly* upon that having reference to the speedy formation of a Constitution, with an intention of an immediate application to be admitted as a State into the Union of the ‘United States of America.’ ”

At a delegate convention held at Big Springs in Kansas Territory on the 5th of September 1855, called to “take into consideration the present exigency of political affairs in Kansas Territory, and the nomination of a Delegate to represent her people in the *Thirty fourth* Congress of the United States,” Mr. John Hutchinson, desiring an endorsement of the convention of the “Peoples Convention,” offered the following resolution which was agreed to.

“Resolved, That this Convention, in view of its recent repudiation of the acts of the so called Kansas Legislative Assembly, respond most heartily to the call made by the “Peoples Convention” of the 15th ult, for a delegate Convention of the people of Kansas Territory, to be held at Topeka on the 19th inst: to consider the propriety of the formation of a State Constitution, and such other matters as may legitimately come before it.”

On the 19th day of September 1855, the “Peoples Convention” assembled at the Town of Topeka, and organized by the election of Wm Y. Roberts of Big Springs as President, J. A. Wakefield, P. C. Schuyler, L. P. Lincoln,



J. K. Goodin, S. N. Latta, and R. H. Phelan, Vice-Presidents. E. D. Ladd, J. H. Nesbit, & M. W. Delahay Secretaries of the Convention. A business committee consisting of G. W. Smith, S. Mewhinney, J. A. Wakefield, C. K. Holliday, L. P. Lincoln, Hamilton Smith, J. A. Nesbit, T. J. Addis, Thomas Jenner, J. B. Chapman, H. M. Moore, M. J. Parrott, G. W. Deitzler, P. C. Schuyler, and J. D. Wood, were appointed on motion of G. W. Smith.

Col. J. H. Lane, moved the following resolution which was adopted:

"Resolved, That a committee consisting of *Eighteen* members appointed one from each election district as far as the said districts are represented in this convention, and when said districts are exhausted, from those actually in attendance at this Convention; and that they be clothed with full power to write, print and circulate an Address to the people of this Territory and to the Civilized World, setting forth our grievances, the policy we have been compelled to adopt, and which we have determined at all hazards to carry out."

The report of the "Business Committee" was *unanimously* adopted and is as follows:

"Whereas, The Constitution of the United States guarantees to the people of this Republic the right of assembling together in a peaceable manner for the common good, to 'Establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of Liberty to themselves and their posterity,' and

"Whereas, The Citizens of Kansas Territory were prevented from electing members of the Legislative Assembly in pursuance with the Proclamation of Gov. Reeder on the 30th of March last, by invading forces from foreign States coming into the Territory and forcing upon the people a Legislature of non-residents and others inimical to the people of Kansas Territory, defeating the object of the organic act, in consequence of which, the Territorial Government became a perfect failure, & the people were left without any legal Government until their patience has become exhausted, and endurance ceases to be a virtue, and they are compelled to resort to the only remedy left, that of forming a government for themselves, Therefore,

"Resolved, by the people of Kansas Territory in Delegate Convention assembled, That an election should be held in the Several election precincts of this Territory on the Second Tuesday of October next, under the regulations and restrictions herein after imposed, for members of a Convention to form a Constitution, adopt a Bill of Rights for the people of Kansas and take all needful measures for organizing a State Government preparatory to the admission of Kansas into the Union as a State.

"Resolved, That the apportionment of said Delegates shall be as follows: Two Delegates for each Representative to which the people were entitled in the Legislative Assembly by Proclamation of Gov. Reeder of date 10th March 1855."

"Resolved, That a committee of seven be appointed by the chair, who shall organize by the appointment of a Chairman and Secretary. They shall keep a record of their proceedings, and shall have the general superintendence of the affairs of the Territory so far as the organization of a State Government, which committee shall be styled the 'Executive Committee of Kansas Territory.'

"Resolved, That it shall be the duty of the 'Executive Committee of Kansas Territory' to advertise said election at least fifteen days before the second Tuesday in October next, and to appoint three Judges thereof for each Precinct, and the said Judges of each Precinct shall appoint their Clerks, all of whom, shall be duly sworn or affirmed to discharge the duties of their respective offices impartially, and with fidelity, and they shall have power to administer the oath or affirmation to each other; and the said Judges shall open said election at 10 o'clock A. M. at the place designated in each precinct by said Executive Committee and close the same at 4 o'clock P. M.; and in case any of the officers appointed fail to attend, the officer or officers in

attendance shall supply the vacancy or vacancies; in the event of them all failing to attend, ten qualified voters shall supply their places; and the said Judges shall make out duplicate returns of said election seal up and transmit one copy of the same within *five* days to the Chairman of the Executive Committee to be laid before the Convention; and they shall within *ten* days, seal up and hand the other to some member of the Executive Committee."

"*Resolved*, That the 'Executive Committee of Kansas Territory' shall announce by Proclamation, the names of the persons elected Delegates to said Convention, and in case the returns from any precinct should not be completed by that day, as soon thereafter as practicable, and in case of a tie, a new election shall be ordered by the 'Executive Committee' giving *five* days notice thereof, by the same officers who officiated at the first election."

"*Resolved*, That the said Convention shall be held at Topeka on the 4th Tuesday of October next, at 12 o'clock M. of that day."

"*Resolved*, That a majority of said Convention shall constitute a quorum, and that the said Convention shall determine upon the returns and qualifications of its members, and shall have and exercise all the rights, privileges and immunities incident to such bodies, and may adopt such rules & regulations for its government as a majority thereof may direct. If a majority of said Convention do not assemble on the day appointed therefor, a less number is hereby authorized to adjourn from day to day."

"*Resolved*, That in case of the death, resignation, or non-attendance of any Delegate chosen from any District of the Territory, the President of the Convention shall issue his writ ordering a new election on five days' notice, to be conducted as heretofore directed."

"*Resolved*, That all white male inhabitants, citizens of the United States, above the age of *twenty one years*, who have had a *bona fide* residence in the Territory of Kansas for the space of *thirty days* immediately preceeding the day of election, shall be entitled to vote for Delegates to said Convention, and all white male inhabitants, citizens of the United States, above the age of *twenty one years*, who have resided in the Territory of Kansas for the space of *three months* immediately preceeding the day of election, shall be eligible as Delegates to said Convention."

"*Resolved*, That if, at the time of holding said election, it shall be inconvenient, on account of Indian hostilities, or any other cause whatever, that would disturb or *prevent* the voters of any election precinct in the Territory, from the free and peaceable exercise of the elective franchise, the officers are hereby authorized to adjourn said election into any other Precinct in the Territory, and to any other day they may see proper, of the necessity of which they shall be the exclusive Judges, at which time and place the qualified voters may cast their votes."

"*Resolved*, That no person shall be entitled to a seat in the Convention, at its organization, except the members whose names are contained in the Proclamation of the Chairman of the Executive Committee. But after the Convention is organized, seats may be contested in the usual way."

"*Resolved*. That the members of the Convention shall receive as a compensation for their services, the sum of *Three Dollars* per day, and *three dollars* for every twenty miles travel to and from the same, and that Congress be respectfully requested to appropriate a sufficient sum, to defray the necessary expenses of said Convention."

"*Resolved*. That on the adoption of a Constitution for the State of Kansas, the President of the Convention shall transmit an authenticated copy thereof, to the President of the United States, to the President of the Senate, to the Speaker of the House of Representatives; to each member of Congress, and to the Governor of each of the several States of the Union, and adopt such other measures as will secure to the people of Kansas, the rights and privileges of a Sovereign State."

The Committee on Address were vested with authority to notify the people of the several Districts of the Territory, of the coming election, by *hand-bills*, *public-addresses*, and otherwise, as they may think proper, and were composed of the following persons. "*J. H. Lane, W. Y. Roberts, Hamilton*

*Smith, P. C. Schuyler, H. Miles Moore, J. S. Emery, A. M. Jordan, M. W. Delahay, E. D. Ladd, G. W. Deitzler, J. A. Wakefield, Samuel C. Smith, Thomas J. Addis, J. H. Nesbit, L. P. Lincoln, John Speer, G. W. Brown, S. N. Latta, James Pierce, G. W. Smith and M. Hunt."*

The "Executive Committee of Kansas Territory" was announced by the President to be composed of the following names:

J. H. Lane.

P. C. Schyuler.

C. K. Holliday.

G. W. Smith.

M. J. Parrott.

G. W. Brown.

and J. K. Goodin.



G. W. BROWN,  
Editor *Herald of Freedom*.

SEPTEMBER 20th '55 5 O'clk. P.M.

The "Executive Committee of Kansas Territory" met at the house of *E. C. K. Garvey Esq.* in Topeka and organized by the election of *James H. Lane Esq.* as chairman, and *J. K. Goodin* Secretary.

On motion Committee adjourned to meet in Lawrence on (to-morrow,) 21st inst. at 2 O'clock P. M.

J. K. GOODIN Secy.

Friday Sept 21 2 O'clk P. M. 1855.

Committee met at house of *Dr. C. Robinson*, and took into consideration the powers and duties expressed and implied in the report of the business Committee at the Topeka Convention. The following is the result of their deliberations.

The Territory was laid off into districts for canvassing purposes to wit: and meetings for public speaking are to be held at the time and place stated.

## 1ST DIST.

At Pawnee.....	on Thursday	Sept 27th	at 2 O'clk.	P.M.
" Manhattan.....	" Friday	" 28th	" 12 "	M.
" Juniatta.....	" "	" "	" 3 "	P.M.
" Rock Creek.....	" Saturday	" 29th	" 2 "	"
" Marysville.....	" Monday	Oct 1st	" 1 "	"
" Moorestown.....	" Tuesday	" 2nd	" 2 "	"
" St Mary's Mission.....	" Wednesday	" 3rd	" 11 "	A.M.
" Silver Lake.....	" "	" "	" 3 "	P.M.
" Indianola.....	" Thursday	" 4th	" 1 "	"
" Osawkee.....	" Friday	" 5th	" 2 "	"
" Grasshopper Falls.....	" Saturday	" 6th	" 2 "	"

## SPEAKERS

*J. S. Emery, W. M. Patterson, J. B. White, Isaac Goodnow, Charles Albright, M. Hunt, Rev. Loejoy, Rev. E. B. Blood, Rev. Dennison, Dr. Hunting, E. Thurston & others.*

## 2ND DISTRICT.

At Adams School House .....	on Monday	Sept. 24th	at 3 O'clk.	P.M.
" Benicia.....	" Tuesday	" 25th	" 2 "	"
" Bloomington.....	" Wednesday	" 26th	" 2 "	"
" Washington.....	" Thursday	" 27th	" 10 "	A.M.
" Tecumseh.....	" "	" "	" 3 "	P.M.
" Topeka.....	" Friday	" 28th	" 1 "	"
" Brownsville.....	" Saturday	" 29th	" 2 "	"
" Waubonsa.....	" Monday	Oct. 1st	" 2 "	"
" Mill Creek.....	" Tuesday	" 2nd	" 1 "	"
" Council Grove.....	" Wednesday	" 3rd	" 2 "	"
" One Hundred & Ten.....	" Thursday	" 4th	" 1 "	"
" Council City.....	" Friday	" 5th	" 2 "	"
" Willow Springs .....	" Saturday	" 6th	" 2 "	"

## SPEAKERS.

*G. W. Smith, W. Y. Roberts, G. P. Lowry, Lyman Allen, A. M. Jourdan, P. C. Schuyler, L. R. Adams, S. C. Smith, F. W. Giles, A. Curtiss, L. Macy, Judge John Curtiss, R. G. Elliott and others.*

## 3RD DISTRICT.

At Fish's Store .....	on Monday	Sept 24th	at 2 O'clk.	P.M.
" Ft. Scott.....	" Friday	" 28th	" 1 "	"
" Stockton's Store, on Little Sugar Creek. ....	" Saturday	" 29th	" 1 "	"
" Elijah Tucker's, on Big Sugar Creek.....	" Monday	Oct 1st	" 2 "	"
" Ossawatimie.....	" Tuesday	" 2nd	" 1 "	"
" Mr. Partridge's on Pottawattomie Creek.....	" Wednesday	" 3rd	" 2 "	"
" Baptiste Peoria.....	" Thursday	" 4th	" 2 "	"
" Springfield.....	" Friday	" 5th	" 2 "	"
" Lane.....	" Saturday	" 6th	" 2 "	"
" Scott's Town.....	" Saturday	Sept 29th	" 1 "	"
" Hampden.....	" Monday	Oct 1st	" 2 "	"
" Neosho, at H. Smith's Store.....	" Tuesday	" 2nd	" 2 "	"
" Columbia.....	" Wednesday	" 3rd	" 1 "	"
" Palmyra.....	" Friday	" 5th	" 2 "	"
" Blanton.....	" Saturday	" 6th	" 2 "	"

## SPEAKERS.

*Dr. C. Robinson, J. A. Wakefield, C. K. Holliday, M. F. Conway, W. K. Vail, J. L. Speer, W. A. Ela, Josiah Miller, O. C. Brown, J. K. Goodin, Dr. Gilpatrick, Rev. Tuton, Rev. J. E. Stewart, C. A. Foster, J. P. Fox, H. Bronson, G. W. Brown, A. H. Malley and others.*



4TH DISTRICT.

At Wyandott City.....	on Thursday	Sept 27th	at 1	O'clk	P.M.
" Delaware City.....	" Friday	" 28th	" 1	"	"
" Eaton.....	" Saturday	" 29th	" 2	"	"
" Kickapoo.....	" Monday	Oct 1st	" 10	"	A.M.
" Ocena.....	" "	" 1st	" 3	"	P.M.
" Atchison.....	" Tuesday	" 2nd	" 1	"	"
" Doniphan.....	" Wednesday	" 3rd	" 2	"	"
" Whitehead.....	" Thursday	" 4th	" 2	"	"
" Benj. Hardings.....	" Friday	" 5th	" 1	"	"
" Hickory Point.....	" Saturday	" 6th	" 2	"	"

SPEAKERS.

J. H. Lane, John Hutchinson, P. Laughlin, M. J. Parrott, S. C. Shoemaker, M. H. Deleha, G. W. Deitzler, H. Miles Moore, A. Guthrie, G. A. Cutler and others.

Meetings were also called at

Franklin.....	Oct. 8th	Monday	at 10 O'clk	A.M.
Lawrence.....	" 8th	"	" 6	P.M.

SPEAKERS.

S. C. Pomroy, Hon. A. H. Reeder, C. K. Holliday, J. H. Lane, J. A. Wakefield, G. P. Lowry, P. C. Schuyler, W. Y. Roberts, C. Robinson, G. W. Smith, & others. Jno. Curtiss.

Meetings are also to be held

At Franklin on Monday	Oct 8th	at 10 O'clk	A.M.
" Lawrence " " Evening	" " "	" "	Candle Lighting.

Most of the Speakers heretofore announced are appointed to be present at the above places.

Committee adjourned leaving it in the hands of the Chairman & Secy. to issue a Proclamation forms &c. &c. &c.

The following is the Proclamation calling the election:

"CONSTITUTIONAL CONVENTION PROCLAMATION.

"To the Legal Voters of Kansas Territory.

"Whereas, The Territorial Government as now constituted for Kansas has proved a failure—Squatter Sovereignty under its workings a miserable delusion, in proof of which it is only necessary to refer to our past history, and our present deplorable condition. Our ballot boxes have been taken possession of by bands of armed men from foreign States—our people forcibly driven therefrom—persons attempted to be foisted upon us as members of a so-called Legislature, un-acquainted with our wants, and hostile to our best interests—some of them never residents of our Territory—misnamed laws passed and now attempted to be enforced by the aid of citizens of foreign States, of the most oppressive, tyrannical, and insulting character,—the right of suffrage taken from us—debarred from the privilege of a voice in the election of even the most insignificant officers—the right of free speech stifled—the muzzling of the Press attempted; and *Whereas*, longer forbearance with such oppression and tyranny has ceased to be a virtue; and *Whereas*, the people of this country have heretofore exercised the right of changing their form of Government when it becomes oppressive, and have at all times conceded this right to the people in this and all other Governments; and *Whereas*, a Territorial form of Government is unknown to the Constitution, and is the mere creature of necessity awaiting the action of the people; and *Whereas*, the debasing character of the Slavery which now involves us impels to action, and leaves us as the only legal and peaceful alternative, the immediate establishment of a State Government; and *Whereas*, the organic act fails in pointing out the course to be adopted in an emergency like ours: *Therefore*, You are requested to meet at your several precincts in said Territory hereinafter mentioned, on the *Second Tuesday of October next*, it being the ninth day of said month, and then and there cast your ballots for members

of a Convention, to meet at Topeka on the 4th Tuesday in October next, to form a Constitution, adopt a Bill of Rights for the people of Kansas, and take all needful measures for organizing a State Government, preparatory to the admission of Kansas into the Union as a State."

"PLACES FOR POLLS.

*First Election District.*

LAWRENCE PRECINCT, Office of *John Hutchinson* in Lawrence.

BLANTON PRECINCT, At the house of *J. B. Abbott* in Blanton.

PALMYRA PRECINCT, At the house of *H. Bariklow* in Palmyra.

*Second District.*

BLOOMINGTON PRECINCT, At the house of *Harrison Burson* on the Wakarusa River.

BENICIA PRECINCT, At the house of *J. J. Cranmer* in East Douglass.

*Third District.*

TOPEKA PRECINCT, At the house of *F. W. Giles* in Topeka.

BIG SPRINGS PRECINCT, At the store of *Wesley Frost* in Washington.

TECUMPSEH PRECINCT, At the house of *Mr. Hoogland* in Tecumseh.

*Fourth District*

WILLOW SPRINGS PRECINCT, At the house of *Dr. Chapman* on the Santa-Fe-Road.

SPRINGFIELD PRECINCT, At some suitable house in Springfield.

*Fifth Dist.*

BULL CREEK PRECINCT, At the house of *Baptiste Peoria* on Pottawattamie Creek.

POTTAWATTAMIE PRECINCT, At the house of *Henry Sherman*.

OSSAWATTAMIE PRECINCT, At the house of *William Hughes* in Ossawatamie.

BIG SUGAR CREEK PRECINCT, At the house of *Elijah Tucker* at the old Pottawattamie Mission.

LITTLE SUGAR CREEK PRECINCT, At the house of *Isaac Stockton*.

NEOSHO PRECINCT, At the Store of *Hamilton Smith* in Neosho.

HAMPDEN PRECINCT, At the house of *W. A. Ela* in Hampden.

*Sixth District.*

FORT SCOTT PRECINCT, At the house of *Mr. Johnson*, or a suitable building in Fort Scott.

SCOTT'S TOWN PRECINCT, At the house of *Mr. Vandever*.

*Seventh Dist.*

TITUS PRECINCT, At the house of *J. B. Titus* on the Santa-fe-Road.

*Eighth District.*

COUNCIL GROVE PRECINCT, At the Mission House at Council Grove.

WAUBONSA PRECINCT, At some suitable building in Waubonsa.

MILL CREEK PRECINCT, At the house of *G. E. Hoenick* on Mill Creek.

ASHLAND PRECINCT, At the house of *Mr. Adams* in Ashland.

*Ninth Dist.*

PAWNEE PRECINCT, At *Loden & Shaw's* Store in Pawnee.

*Tenth Dist.*

BIG BLUE PRECINCT, At the house of *S. D. Dyer*, in Juniatta.

ROCK CREEK PRECINCT, At the house of *Robert Wilson*.

*Eleventh Dist.*

VERMILLION PRECINCT, At the house of *John Schmidt* on the Vermillion Branch of Blue River.



*Twelfth Dist.*

ST MARY'S PRECINCT, At the House of *B. F. Bertrand.*

SILVER LAKE PRECINCT, At the house of *Joseph Leframbois.*

*Thirteenth Dist.*

HICKORY POINT PRECINCT, At the house of *Charles Hardt.*

FALLS PRECINCT, At the house of "*Mill Company*" at Grasshopper Falls.

*Fourteenth Dist.*

BUR OAK PRECINCT, At the house of *Benjamin Harding.*

DONIPHAN PRECINCT, (including part of 15th district to Walnut Creek,) At the house of *Dr. G. A. Culler* in Doniphan.

WOLF RIVER PRECINCT, At the house of *Aaron Lewis.*

*Fifteenth Dist.*

WALNUT CREEK PRECINCT, (South of Walnut Creek,) At the house of *Charles Hayes* on the Military Road.

*Sixteenth Dist.*

LEAVENWORTH PRECINCT, At the Store of *Thomas Doyle* in Leavenworth City.

EASTON PRECINCT, At the house of *Thomas A. Maynard* [Minard] on Stranger Creek.

WYANDOTT PRECINCT, At the "*Council House*" Wyandott City.

RIDGE PRECINCT, At the House of *William Pennock.*

*Seventeenth Dist.*

MISSION PRECINCT, At the *Baptist Mission Building.*

WAKARUSA PRECINCT, At the store of *Paschal Fish.*

*Eighteenth Dist.*

CALAFORNIA PRECINCT, At the House of *W. W. Moore*, on the St. Joseph and Calafornia Road.

"INSTRUCTIONS TO JUDGES OF ELECTIONS.

"The three Judges will provide for each poll ballot boxes for depositing the ballots cast by Electors,—shall appoint two Clerks, all of whom shall be sworn or affirmed to discharge the duties of their respective offices impartially and with fidelity; and the said Judges shall open said election at 10 O'clock A. M. at the place designated in each precinct by the "Executive Committee of Kansas Territory," and close the same at 4 O'clock P. M. In case any of the officers appointed fail to attend, the officer or officers in attendance shall supply their places.

"And the said Judges shall make out duplicate returns of said election; seal up and transmit one copy of the same within *five days*' to the Chairman of the Executive Committee, to be laid before the Convention, and they shall within *Ten days*' seal up and hand the other to some member of said Executive Committee.

"If at the time of holding said election it shall be inconvenient on account of Indian hostilities or any other cause whatever, that would disturb or prevent the voters of any election precinct in the Territory from the free and peaceable exercise of the elective franchise, the officers are hereby authorized to adjourn said election into any other precinct in the Territory and to any other day they may see proper; of the necessity of which, they shall be the exclusive judges, at which time and place the qualified voters may cast their votes."

"QUALIFICATIONS OF VOTERS, &c.

"All white male inhabitants, citizens of the United States, or who have declared their intentions before the proper authorities to become such, above the age of *Twenty One Years*, who have had a *bona fide* residence in the Territory for the space of *thirty days*' immediately preceeding the day of said

election, shall be entitled to vote for Delegates to said Convention; and all white male inhabitants, Citizens of the United States, above the age of *Twenty One Years*, who have had a *bona fide* residence in the Territory of Kansas for the space of *three months* immediately preceeding the day of election, shall be eligible as Delegates to said Convention."

#### APPORTIONMENT &c.

"The apportionment of Delegates to said Convention shall be as follows: Two Delegates for each Representative to which the people were entitled in the Legislative Assembly by proclamation of Gov. Reeder of date 10th March 1855.

"It is confidently believed that the people of Kansas are alive fully, to the importance of the step they are about to take in disenthraling themselves from the Slavery which is now fettering them; and the Squatters of Kansas are *earnestly* requested to be at their several polls on the day above designated, see that there be no illegal votes cast, and that every ballot recieved be in accordance with your choice for Delegates to the Constitutional Convention, and have all the regulations and restrictions carried out.

"The plan proposed in the Proclamation to govern you in the election, has been adopted after mature deliberation, and if adhered to by you, will result in establishing in Kansas an Independant Government that will be admitted into our beloved Union as a Sovereign State, securing to our people the liberty they have heretofore enjoyed, and which has been so ruthlessly wrested from [them] by reckless invaders.

"Lawrence Sept. 22nd 1855.

"By order of 'Executive Committee of Kansas Territory.'

(Signed.) J. H. LANE, *Chairman.*

J. K. GOODIN, *Sec'y.*"

The following is the call, circulated in the form of Posters and sent (together with all the labors of the Committee,) by *Carrier's* throughout the Territory.

#### "TO THE ELECTORS OF KANSAS TERRITORY.

"You are hereby notified that an Election will be held in the several election precincts of this Territory, on the SECOND TUESDAY, NINTH of OCTOBER *next*, for members of a Convention to form a Constitution, adopt a Bill of Rights for the people of Kansas, and take all needful measures for organizing a State Government preparatory to the admission of Kansas into the Union as a State.

"Per order of 'Executive Committee of Kansas Territory.'

(Signed.) J. H. LANE, *Chairman.*

J. K. GOODIN, *Sec'y.*  
September 22nd 1855."

As the Convention at Topeka of 19th & 20th inst. empowered the "Executive Committee of Kansas Territory" to "appoint Judges of the Election," and "have the general superintendence of the Territory so far as regards the organization of a State Government," the following form have been made out to secure uniformity throughout the entire Territory:

#### "JUDGES CERTIFICATE.

"SIR:—Having entire confidence in your integrity, patriotism and ability, you have been selected and are hereby appointed as one of the Judges of the election to be holden in your Precinct in the Territory of Kansas, at \_\_\_\_\_ on the SECOND TUESDAY, (OCTOBER NINTH,) for Members of a Convention to form a Constitution, adopt a Bill of Rights for the people of Kansas, and take all needful measures for organizing a State Government preparatory to the admission of Kansas into the Union as a State.

"Lawrence Sept 22nd 1855.

"Per order of 'Executive Committee of Kansas Territory.'

J. H. LANE, *Chairman.*

J. K. GOODIN, *Sec'y.*"

POLL BOOK

Of voters for Delegates to a Convention to form a Constitution for Kansas held on this SECOND TUESDAY, the NINTH DAY OF OCTOBER, A. D. 1855.

Names.		Names.	
No.		No.	
1	A. B.	15	
2	C. D. &c.	16	
3		17	
4		18	
5		19	
6		20	
7		21	
8		22	
9		23	
10		24	
11		25	
12		26	
13		27	
14		28	&c

We the undersigned Judges and Clerks of Election, hereby certify upon our oaths, that the number of votes cast at an election held at \_\_\_\_\_ Precinct, in Kansas Territory, on the Second Tuesday of October, 1855, it being the ninth day of said month, between the hours of 10 O'clock, A. M. and 4, O'clock P. M. of said day, "for Delegates to a Convention to form a Constitution, adopt a Bill of Rights for the People of Kansas, and take all needful measure for organizing a State Government, preparatory to the admission of Kansas as a State," to be \_\_\_\_\_ votes. "We, the Judges and Clerks of said election further certify upon our oaths, that the said voters were white male inhabitants, citizens of the United States, above the age of *Twenty One Years*, *Bona Fide* residents of said Territory of Kansas, having actually resided therein for the period of thirty days immediately preceeding Said Election day."

October 9th 1855.

Attest:

Judges.

Clerks.

TALLY LIST

of votes cast for Delegates to a Convention to form a Constitution for Kansas, held on this *second Tuesday of October*, it being the *ninth day* of said month, A. D. 1855.

A. B. \_\_\_\_\_ votes.  
 C. D. \_\_\_\_\_ votes.  
 E. F. \_\_\_\_\_ votes.  
 G. H. &c \_\_\_\_\_ votes.

"We the undersigned, Judges and Clerks of election, hereby certify upon our oaths, that \_\_\_\_\_ has received \_\_\_\_\_ votes, \_\_\_\_\_ has received \_\_\_\_\_ votes, \_\_\_\_\_ &c. cast at an Election held at \_\_\_\_\_ Precinct, in Kansas Territory, on the *second Tuesday*, (ninth day) of *October A. D. 1855*, between the hours of 10, O'clock A. M. and 4, O'clock P. M. of said day, for Delegates to a convention to form a Constitution, adopt a Bill of Rights for the people of Kansas; and take all needful measures for organizing a State Government preparatory to the admission of Kansas as a State.  
 "We, the Judges and Clerks of said Election, further certify upon our oaths, that the said voters were white male inhabitants, citizens of the United States, above the age of *Twenty one years*, *bona fide* residents of said Territory

of Kansas, having actually resided therein for the period of *thirty days* immediately preceeding said Election day.

October 9th 1855.

Attest:

Judges.

Clerks.

LIST OF JUDGES APPOINTED BY EX. COMMITTEE TO CONDUCT THE ELECTION  
ON TUESDAY OCT. 9TH 1855.

*1st Dist.*

Blanton Precinct.....	Paul Jones Julius Eliot N. B. Blanton
Lawrence Precinct.....	Lyman Allen [William] Yates [M. H.] Spittle
Palmyra Precinct.....	Salem Gleason Henry Barricklow Elizur Hills
Franklin Precinct.....	_____

*2nd District*

Bloomington Precinct.....	Robert Buffam Samuel Waker [Walker] G. W. Umberger
Benicia Precinct.....	P. B. Harris O. T. Bassett J. H. Shimmonds [Shimmons]

*3d Dist.*

Topeka Precinct.....	Henry P. Waters Milton C. Dickey F. L. Crane
Camp Creek.....	John Kinney Hiram Heberling W. T. Stout
Tecumseh.....	Francis Grassmuck C. W. Moffet John Morris
Brownsville.....	W. F. Johnson John W Brown Geo. S. Holt
Mill Creek.....	_____
Washington.....	Eli Allen William Riley W. R. Frost
Council City.....	John Drew William Lord

*4th Dist.*

Lane . . . . .	C. Howard Carpenter Saml Wortman William Moore
Willow Springs . . . . .	_____
	_____
	_____

*5th Dist.*

Bull Creek . . . . .	_____
	_____
	_____
Pottawattamie . . . . .	John T. Grant Cyrus Taylor David Baldwin
Ossawattamie . . . . .	William Chestnut Samuel H. Houser John Yelon
Big Sugar Creek . . . . .	Jonah Daniel Silas Young D. B. Brown
Little Sugar Creek . . . . .	S. B. Floyd D. Reese Enoch Estep
Neosho . . . . .	William Stone Thomas Osborn
Hampden . . . . .	_____
	_____
	_____
Stanton . . . . .	Isaac Woolard Martin White S. L. Morse

*6th Dist.*

Fort Scott . . . . .	_____
	_____
	_____
Scott Town . . . . .	T. Crabtree Isaac Chatham F. S. Froschel
Columbia . . . . .	Thos. J. Addis James Kearnis Phillip Cook

*7th Dist.*

Titus Precinct . . . . .	John Drew Wm Lord
Council City . . . . .	John Drew Wm Lord

*8th Dist.*

	<i>House of A. J. Baker.</i>
Council Grove . . . . .	John Goodell G. H. Rees Benj. Wright

*Kansas State Historical Society.*

Waubonse.....E. R. McCurdy  
S. M. Bisbury  
Daniel B. Hiatt

Mill Creek.....  
\_\_\_\_\_  
\_\_\_\_\_

Ashland.....  
\_\_\_\_\_  
\_\_\_\_\_

*9th Dist.*

Pawnee.....S. P. Higgins  
Wm. M. McClure  
Lemuel Knapp

*10th Dist.*

Big Blue.....J. Stewart  
Peter Neyhart  
Wm Hanna

Rock Creek.....James Darnell  
Charles Jenkins  
Henry Rammelt

*11th Dist.*

Vermillion.....  
\_\_\_\_\_  
\_\_\_\_\_

*12th Dist.*

St Mary's.....J. P. Wilson  
Benj. C Dean  
Oscar B. Dean

Silver Lake.....John G. Thompson  
John W. Hopkins  
E. R. Kennedy

*13th Dist.*

Hickory Point.....Dr J. Noble  
G. A. White  
John Belcher

Pleasant Hill.....Robert Ward  
Nathan Adams  
William Hicks

Falls.....S. H. Dunn  
S. B. Ross  
J. W. Clark

*14th Dist.*

Bur Oak.....Henderson Smallwood  
A. A. Jamison  
Matthew Iles

Doniphan.....John H. Whittaker  
T. H. Hoffman  
J. Landis

Palermo.....Nathan D. White  
Wm Chapman

Wolf River.....  
\_\_\_\_\_  
\_\_\_\_\_



15th Dist.

Crosby's Store . . . . .	Wm. Crosby Caleb May E Landrum
House of Jackson Crane . . . .	Charles S. Foster Stanford McDaniel Jackson B. Crane

16th Dist.

Leavenworth . . . . .	_____
	_____
	_____
Easton . . . . .	_____
	_____
	_____
Wyandott . . . . .	Abelard Guthrie Geo. J. [I.] Clark Mathias Splitlogs
Ridge . . . . .	Wm Pennock J. A. Lindsey N. Lockerman

17th Dist.

Mission . . . . .	Geo. L. Osborne Samuel M. Cornatzer Lewis Dougherty
Wakarusa . . . . .	Lewis H. Bascom Ellis Bond Albert G. Green

18th Dist.

Calafornia . . . . .	_____
	_____
	_____

OFFICE OF EX. COM. LAWRENCE K. T.  
Oct. 1st 1855.

Ex. Com. met this morning, and on motion it was unanimously resolved that Dr. Chas. Robinson be elected Treasurer of the committee, and that the Sec'y be instructed to inform him of his election, and request his acceptance of the same.

J. K. GOODIN Secy.

Whereupon the following correspondence was had in relation to the selection of a Treasurer of the Ex. Com.

OFFICE OF EX. COM. OF KANSAS TERRITORY  
Oct. 1st 1855

To Dr Charles Robinson:

DEAR SIR:—Having entire confidence in your integrity, patriotism and ability, you have been selected, and are hereby appointed Treasurer of the Ex. Committee for Kansas Territory, "having the general superintendence of the affairs of the Territory so far as regards the organization of a State Government," with a desire of your acceptance of the appointment.

By order of Ex. Com. of K. T.

Attest:

J. K. GOODIN Secy.

J. H. LANE Chairman.

## REPLY.

Hon. J. H. Lane

LAWRENCE Oct 2nd 1855.

DEAR SIR—I have the honor to acknowledge the reception of your note appointing me Treasurer of the "Executive Committee of Kansas Territory" Please accept my thanks for the confidence the Committee have placed in me, and my pledge of fidelity to the cause we have espoused, as well as to the discharge of the duties of my position to the best of my ability.

Very Respectfully

C. ROBINSON.

Oct 2nd 1855

Ex. Com. met, and by order the following letter was ordered to be written to the Governor's of the "United States" the objects of which are therein clearly expressed

J K GOODIN *Secy*

LAWRENCE KANSAS TER.

Oct 2nd 1855.

*To His Excellency, Gov. ————*

SIR: The Squatters of this Territory meet in Convention by their Delegates in Topeka on the 4th Tuesday of the present month, to frame a Constitution preparatory to applying for admission into the Union as a Sovereign State, and it is deemed important to have all the lights before them possible.

To this end, I am requested you to furnish to me for their use, a copy of your Constitution and debates if they were preserved, of your Convention.

Being entitled to the franking privilege, you can direct to me postage free, and I am authorized to say that in return you will be furnished with the proceedings of our Convention when published.

I trust the subject is of sufficient importance as to challenge your attention.

Respectfully J. H. LANE

*Chairman of Ex. Com. of K. T.*By the Chairman J. K. GOODIN *Secy*.

## DELEGATES ELECTED TO THE CONSTITUTIONAL CONVENTION

to be convened on the 23d day of October A. D. 1855 at 12 O'clock. M. at the Town of Topeka K. T., the Election for said Delegates being held in pursuance of the call made by the Ex. Com. of K. T.

<i>Districts.</i>	<i>Precincts.</i>	<i>Delegates.</i>
1st Council	Lane	2. Saml McWhinney
1st Representative	Mission	Wm Graham
17th & 4th Election	Wakarusa	
1st Council	Lawrence	6. Chas. Robinson
2nd Rep.	Blanton	J. H. Lane
1st Election	Palmyra	J. K. Goodin
		G. W. Smith
		Morris Hunt
		J. S. Emery
2nd Council	Bloomington	4. J. A Wakefield
3rd Rep.	Benicia	A. Curtiss,
2nd Election		J. M. Tuton.
		H. Burson.
3d Council	Washington	2. C. K. Holliday
4th Rep.	Topeka	W. Y. Roberts
3d Election	Camp Creek	
	Tecumpseh	
	Brownsville	
	Mill Creek	
3d Council	Council Grove	2. P. C. Schuyler
5th Rep.	Council City	J. H. Pillsbury
7th & 8th Election		for J. H. Nesbitt

5th Council	Bull Creek	8. W. T. Turner
7th Rep.	Pottawatamie	James M. Arthur
5th Election	Ossawatamie	W. T. Morris
	Big Sugar Creek	O. C. Brown
	Little Sugar Creek	Rich'd Knight
	Neosho	Fr. Brown
	Hampden	H. Smith
	Stanton	W. G. Nichols
4th Council	Ft Scott	4. James Phenis
6th Rep.	Scott Town &c	A. Vandevere
6th Election		Dr. Burgess
6th Council	Pawnee &c	2. Robt Klotz
8th Rep.		A. Hunting
9th & 10th Election		
6th Council	St Mary's	2. M. F. Conway
9th Rep.	Silver Lake	J. G. Thompson
11th & 12th Election		
10th Council	Hickory Point	2. George Hillyer
10th Rep.	Pleasant Hill	J. Whitney
13th Election	Falls	
10th Council	Leavenworth	6. M. J. Parrott
14th Rep.	Easton	Robt Riddle
16th Election	Wyandott	Matt France
	Ridge	S. N. Latta
		D. Dodge
		M. W. Delehay
7th Council	Doniphan	4. G. A. Cutler
11th Rep.	Palermo &c	John Landis
Wolf River & Doniphan		C. W. Stewart
Precincts of 14th Election		D. W. Field
8th Council	Bur Oak	4. _____
12th Rep.	Calafornia	_____
Bur Oak Precinct of 14th &c		_____
Election Dist,		_____
Whole of 18th Election		
Dist,		
(small part of 15th Dist,		
voting at Doniphan)		
9th Council,	Crosby's Store	4. James S. Sayle.
13th Rep,	House of Jackson Crane	R. H. Crosby.
15th Election.		Caleb May.
		Sanford McDaniel.

In consequence of there being no Delegates elected from the 8th Council Dist, the Chairman of the "Ex. Com." caused to be issued the following

PROCLAMATION.

Whereas that portion of the 14th Election Dist. in which is situated Bur Oak and Wolf River Precincts is not represented in the Constitutional Convention now in session at Topeka, on account of a misunderstanding of the Electors in the place of voting, the qualified voters are respectfully requested to assemble at the above precincts on the 6th day of October next, and then and there cast their ballots for 3 delegates to represent them in the Convention aforesaid under the regulations and restrictions as set forth in the proclamation of the Ex. Com. of K. T. of date 22nd September 1855.

By order of Executive Committee of Kansas Territory this 25th day of October A. D. 1855

J. K. GOODIN *Sec'y.*

J. H. LANE *Chairman.*

A like proclamation was also issued the same date to the voters of the 6th Council district for the Election of One Delegate to supply the vacancy occasioned by the resignation of J. H. Pillsbury.

TOPEKA Oct 28th 1855

Committee met, members all present except G. W. Brown, when upon motion of G. W. Smith the following resolution was passed.

"Resolved.—That William Hicks, A. J. Whitney, and Geo. S. Hillyer having each been voted for in the 13th Representative Dist. as delegates to the Constitutional Convention of Kansas, each having had an equal number of votes, and A. J. Whitney not appearing to claim or contest his seat, having prior to the election declined being a candidate, and being now absent from the Territory—that George S. Hillyer, and William Hicks be and are hereby declared the duly elected delegates to the said Convention."

Committee Adjourned.

J. K. GOODIN Sec'y

TOPEKA Nov 10th 1855.

Committee met, present Lane, Holliday, Parrott, Smith & Goodin. On motion of Mr. Parrott it was ordered that the permanent office of the Ex. Com. of Kansas Ter. be established at Topeka until further ordered, and the regular sessions of the committee be held upon the 2nd and 4th Saturday's of each month, and that C. K. Holliday be instructed to rent an office and have the same prepared for our next meeting. On motion of C. K. Holliday E. C. K. Garvey was elected Assistant Secretary of the meeting.

Mr Garvey made a proposition to the Com. to rent them the front room in his new brick building at the rate of \$100 per annum; to make a solid petition through the same and furnish the office with carpet and furniture, desk, stove and fuel—the proposition was accepted. Com. adjourned.

J. K. GOODIN Secy.

TOPEKA Nov. 24th 1855.

Committee met, present, Lane, Smith, Holliday & Goodin. The following Proclamations were prepared submitted, passed, and ordered to be printed and circulated by couriers.

#### PROCLAMATION.

##### *Constitution and General Banking Law.*

By authority invested in me as Chairman of the Executive Committee of Kansas Territory, I do hereby proclaim and make known,—That the qualified voters of said Territory will meet at the several precincts hereinafter mentioned, on the 15th Day of December A. D. 1855. And then and there cast their ballots for or against the Constitution framed by the Convention which met at Topeka on the 23d day of October 1855, in the following form: Those in favor voting a ballot upon which is written or printed CONSTITUTION, those against NO CONSTITUTION.

At the same time and places they will cast their ballots approving or disapproving an article in relation to a GENERAL BANKING LAW framed by said Convention, which article is submitted as a distinct proposition, to be voted upon by casting a written or printed ballot in the following form GENERAL BANKING LAW—YES; those against GENERAL BANKING LAW—NO.

If a majority of the votes cast shall be in favor of said article, then the same shall form a part of the Constitution,—otherwise, it shall be void, and form no part thereof.

(Here follows the Election precincts and Judges of Election as laid down in the Constitution) (Also the instructions to Judges and qualification of voters as copied from the Constitution.)

Blanks.

Printed forms of Poll books, tally papers and tickets will be furnished to the officers of each election precinct.

The importance of the election will doubtless induce you to observe the forms transmitted, and scrupulously adhere to the rules herein recited. It is confidently expected the people of Kansas will be permitted to exercise the right of suffrage upon so vital a subject as their first Constitution, without interference from foreign invaders; if however, you are disappointed in this, and any attempt should be made to pollute the Ballot Box by force or otherwise, the Judges will unhesitatingly exercise the authority vested in them, and adjourn or remove the polls to such time and place as in their judgment will secure a legal election.

Given under my hand at the office of the Executive Committee of Kansas Ter. this 24th day of Nov. A. D. 1855.

J. K. GOODIN, *Sec'y.*

J. H. LANE *Chairman*

PROCLAMATION.

BLACK LAWS. By authority vested in me as Chairman of the Executive Committee of Kansas Territory—I do hereby proclaim that the qualified electors of Said Territory will, on the 15th day of December A. D. 1855 express their approval of the passage of laws by the General Assembly providing for the exclusion of Free Negroes, from the State of Kansas, in the following manner: by voting at said election a written or printed ticket labelled EXCLUSION OF NEGROES AND MULATTOES "YES." or "No." those in favor voting "YES," and those against "No." The result of such vote to operate as instructions to the First General Assembly upon that subject. The said votes to be received by the same Judges, and the election conducted as provided in the Proclamation of even date herewith, in reference to the Constitution and General Banking Laws.

Given under my hand at the office of the Executive Committee of Kansas Ter. at Topeka, this 24th day of Nov. A. D. 1855

J. K. GOODIN *Sec'y.*

J. H. LANE *Chairman.*

POLL BOOK

Of voters who have cast their ballots at an election held on the 15th day of December A. D. 1855, at ———— Precinct, in District No ——— in Kansas Territory, on the adoption or rejection of a Constitution for the State of Kansas, and upon the General Banking Law Clause and Black Law Proposition.

No	Names of Voters	No	Names of Voters
1	A. B	6	K. L.
2	C. D.	7	M. N.
3	E. F.	8	O. P.
4	G. H.	9	Q. R.
5	I. J.	10	S. T.

We the undersigned Judges and clerks of election hereby certify upon our oaths, that the whole number of votes cast at an election held at ——— Precinct in ——— District in Kansas Territory, on the 15th day of December A. D. 1855, for the adoption or rejection of a Constitution, the separate article in relation to a General Banking Law, framed by the Constitutional Convention which assembled at Topeka on the 23d day of October 1855, for the State of Kansas, and the independant proposition in relation to instructing the first General Assembly on the subject of Negroes and mulattoes, to be in number ———; and we further certify that the said voters were *bona fide* citizens of the United States, above the age of 21 years, and actual residents of the Territory of Kansas, for 30 days immediately preceeding this election, and still continue the same as their home and residence. Attest:

Clerks.

Judges.



## TALLY LIST

Of votes cast at an election held on the 15th day of December A. D. 1855, at \_\_\_\_\_ Precinct, in District No \_\_\_\_\_ in Kansas Territory, on the adoption or rejection of a Constitution for the State of Kansas, and upon the General Banking Law Clause, and Black Law Proposition.

Exclusion of Negroes & Mulattoes—No.		=	5
Exclusion of Negroes & Mulattoes—Yes.			= 15
General Banking Law—No.			= 8
General Banking Law—Yes.			= 12
No Constitution			= 5
Constitution			= 20

We the undersigned Judges and Clerks of Election, hereby certify upon our Oaths, that the whole No. of votes cast at election held at \_\_\_\_\_ Precinct in \_\_\_\_\_ District, in Kansas Territory, on the 15th day of December A. D. 1855, for the adoption or the rejection of a Constitution framed by the Constitutional Convention which assembled at Topeka on the 23d day of October A. D. 1855, for the State of Kansas, to be in number as follows:—Constitution — No Constitution —. We further certify, that the whole number of votes cast at said election approving or disapproving an Article in relation to a General Banking Law, submitted as a distinct proposition, to become a part of said Constitution—if adopted by a majority of the People,—to be in number as follows: General Banking Law—Yes— General Banking Law—No —. We further certify, that the whole number of votes cast at said election, approving or disapproving the passage of stringent Laws by the General Assembly for the Exclusion of Free Negroes and Mulattoes from the State of Kansas, the result of said vote to operate as instructions to the first General Assembly, to be in number as follows: Exclusion of Negroes and Mulattoes, Yes — Exclusion of Negroes and Mulattoes, No —. And we further certify that the said voters were bona-fide citizens of the United States, above the age of twenty one years,



and actual residents of the Territory of Kansas for thirty days immediately preceeding this election, and still continuing the same as their home and residence.

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*Clerks.*

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*Judges.*

Arrangements were perfected by the Committee for a complete and thouroug canvass of the Territory. The Ter. was divided into Five Districts and Show Bills ordered to be printed giving notice of the time and places where mass meetings would be held. Some 70 Speakers are to be enlisted in canvassing for the Coming Election.

Nov. 27th.

On motion it was ordered that the Chairman of the Ex. Com. be instructed to cause to be published a Proclamation, setting apart the 25th Day of December next as a day of Thanksgiving and prayer throughout the State, and calling upon the citizens to give observance to the same. Pursuant to the above order the Chairman has issued for publication the following

PROCLAMATION.

*For a Day of Public Thanksgiving and Praise.*

In pursuance of a long established usage, which has always found a cheerful acquiescence in the hearts of a grateful people, and by direction of the Executive Committee of Kansas Territory, I do hereby appointment and set apart Tuesday the 25th day of December next, to be observed by the people of Kansas, as a day of public Thanksgiving and praise.

While insult, outrage, and death has been inflicted upon many of our unoffending citizens, by those whom we desire to recognise as brothers, while the attempt is being made to inflict upon us the most galling and debasing slavery, our lives have been spared, and a way pointed out by which, without imbuing our hands in blood, we can secure the blessings of Liberty and a Good Government. The fields of the husbandman have yielded abundantly, and industry in all its channels have been appropriately rewarded. For those and the innumerable blessings we are enjoying, let our hearts be devotedly thankful. From every altar let Thanksgiving and Songs of Praise ascend to that God from whom these blessings flow. Let the occasion be improved by the people of Kansas, for the advancement of Freedom, Virtue and Christianity,—let the poor be remembered and relieved, and the day be wholly spent as Wisdom shall direct, and God approve and bless.

Given under my hand, at the office of the Executive Committee of Kansas Territory, in the City of Topeka, this 27th day of November, A. D. 1855.

J. K. GOODIN *Sec'y.*

J. H. LANE *Chairman.*

In order that there may be a complete and acurate history of the progress and advancement of the movement of the people of Kansas in the formation of their State Government, the Sec. was ordered to make a minute of the first issue of certificates of indebtedness giving the authority therefor.

On the 10th day of Nov. inst: the first certificate was issued in form hereinafter given, under the sanction and by the authority of the Constitutional Convention which assembled at Topeka on the 23d day of October A. D. 1855, which authority reads as follows:

“Certificates of indebtedness may be issued by the Territorial Executive Committee for all necessary expenses accruing in the formation of a State Government not exceeding TWENTY FIVE THOUSAND DOLLARS. PROVIDED No certificates shall be issued except for legitimate expenses. All claims shall be made in writing, and shall be numbered and Kept on file in the

Secretary's Office; and all certificates of indebtedness shall be signed by the Chairman and Secretary, and countersigned by the Treasurer, and numbered to correspond with the numbers of the claim or bill for which it was issued.

The certificates shall bear *ten per cent interest per annum*"

The form of Certificates issued by the Committee is as follows:



TREASURY WARRANT ISSUED BY THE EXECUTIVE COMMITTEE.  
(Facsimile of original belonging to the State Historical Society.)

LAWRENCE Dec 9th 1855

Com. Met present Lane, Holliday Smith, Brown, Parrott & Scuyler.

Moved by G. W. Brown that the Ex. Committee appoint 5 delegates to travel in the States to urge the cause of Kansas upon the people and induce emigration to the Territory, Carried. The following persons were selected W. Y. Roberts, Dr. James Davis, P. C. Schuyler, Geo. W. Brown, and M. J. Parrott were selected.

On motion it was ordered that the Sec'y be instructed to issue the sum of \$200.00 Certificates to each of the five delegates appointed. Carried.

E. C. K. GARVEY Asst Secy.

LAWRENCE D c. 23d 1855.

In the absence of the Chairman C. K. Holliday was elected Ch'n pro-tem. A letter from Eli Thayer proposing to furnish the Militia of the Territory with 1000 Stand of improved arms for 12000\$ Kansas Certificates of indebtedness was lain before the Committee.

On motion of G. W. Smith, Mr. G. W. Brown was instructed to correspond with Mr. Thayer accepting the proposition.

A motion was made by Mr. Brown to re-issue to James Redpath the sum of \$174, certificates which he Redpath claims to have lost; the Committee instructed the Secretary to require in this and all similar cases an affidavit of the person who claim a reissue for lost Certificates.

Adjourned until to-morrow morning at 9 O'clock

J. K. GOODIN Sec.

LAWRENCE Dec. 24th 1855.

Com. met present Lane, Brown, Smith Holliday & Goodin.

On motion C. K. Holliday was appointed Historian of the late Kansas difficulties, with full power to dispose of the Copy Right. The com. spent the ballance of the day in auditing accounts and preparing Proclamation and Election papers for the Coming Election.

LAWRENCE 27th Dec 1855

Com. in Session. The following proclamation announcing the result of the Election on 15th Dec. inst and proclamation calling an Election for State Officers and Members of the General Assembly were presented, discussed, and ordered for publication.

PROCLAMATION.

At an election holden on the fifteenth day of December, 1855, to determine, by ballot, for or against the adoption of a Constitution for the State of Kansas, framed by a Convention of Delegates which assembled at Topeka, on Tuesday the 23d day of October, 1855, it doth appear by the returns of said election now on file in the Office of the Executive Committee, that a majority of all the votes cast, are in favor of the said Constitution.

Now, therefore, by virtue of authority in me vested as Chairman of the Executive Committee of Kansas Territory, I do hereby proclaim and make known, that the Constitution framed by the said Topeka Convention, has been ratified by the qualified voters of Kansas Territory, and I do now declare the same to be the CONSTITUTION OF THE STATE OF KANSAS.

And I do further proclaim and make known, that, of all the votes cast at the aforesaid election, "for" and "against" a separte and distinct article, on the subject of *Banking*, a majority are in favor of, a *General Banking Law*, as ascertained by the returns of said Election, now on file in the office of the Executive Committee, and I do now declare the said Article, to be a part, of, the Constitution of the STATE OF KANSAS.

And I do further proclaim and make known that of all the votes cast, at the aforesaid election, "for" and "Against" "the passage of laws by the General Assembly, providing for the Exclusion of free negroes from the State of Kansas" the result of such vote to operate as instructions to the First General Assembly, upon that subject," a majority are in favor of "Exclusion," as ascertained by the returns of said election now on file in the office of the Executive Committee.

Given under my hand, at the office of the Executive Committee of Kansas Territory, at the City of Topeka, this 27th day of December, A. D. 1855

Attest.  
C. K. HOLLIDAY Sec. pro tem.

J. H. LANE Chairman

PROCLAMATION.

By virtue of authority in me vested as Chairman of the Executive Committee of Kansas Territory, I do hereby proclaim and make known, that the qualified voters of Kansas will meet at the several precincts hereinafter mentioned, on the 15th day of January A. D. 1856, and then and there elect—

One	person	for	Governor.
One	"	"	Lieutenant Governor,
"	"	"	Secretary of State,
"	"	"	Auditor of State,
"	"	"	Treasurer of State,
"	"	"	Attorney General,
Three	"	"	Judges of the Supreme Court,
One	"	"	Reporter of the Supreme Court,
"	"	"	Clerk of the Supreme Court,
"	"	"	Public State Printer,
"	"	"	Representative to Congress,

At the same time and places, they will also elect Twenty persons for SENATORS, and Sixty persons for REPRESENTATIVES to the General Assembly of the STATE OF KANSAS, to be apportioned among the several Districts as follows: to wit:

*Senatorial and Representative Districts*

- 1st—The first Election District shall be entitled to Three Senators and Eight Representatives.
- 2nd—The Second Election District shall be entitled to One Senator and Three Representatives.
- 3d—The Third Election District shall be entitled to One Senator and Three Representatives.
- 4th—The Fourth and Seventeenth Election Districts shall constitute the Fourth Senatorial and Representative Districts, and be entitled to one Senator and Two Representatives.
- 5th—The Fifth Election District, shall be entitled to three Senators and Two Representatives
- 6th—The Sixth, Seventh and Eighth Election Districts shall constitute the Sixth Senatorial & Representative District & be entitled to Two Senators and Five Representatives
- 7th—The Ninth and Tenth Election Districts shall constitute the Seventh Senatorial District, and be entitled to one Senator and four Representatives.
- 8th—The Eleventh and Twelfth Election Districts shall constitute the Eighth Senatorial & Representative District, and be entitled to one Senator and three Representatives
- 9th—The Thirteenth Election District, shall constitute the Ninth Senatorial and Representative District and be entitled to One Senator and Two Representatives.
- 10th—The Fourteenth and Eighteenth Election Districts, shall constitute the Tenth Senatorial and Representative District and be entitled to two Senators and seven Representatives
- 11th—The Fifteenth Election District, shall constitute the Eleventh Senatorial and Representative District, and be entitled to one Senator and Five Representatives
- 12th—The Sixteenth Election District, shall constitute the Twelfth Senatorial and Representative District, and be entitled to Three Senators and Nine Representatives.

Until otherwise provided by law, the Election in the Several Districts shall be held at the following places, and the following named persons are hereby appointed as Judges of the Elections.

(Here follows the names of the precincts and Judges as laid down in the Constitution and heretofore recited in this record.) (See proclamation on file.) (Here follows also the General Instruction to Judges of Election, also the qualifications of voters.)

BLANKS, printed forms of poll books, tally papers, and tickets will be furnished to the officers of each precinct.

The importance of the election will doubtless induce you to observe the forms transmitted, and scrupulously to adhere to the rules herein recited.

Given under my hand at the office of the Executive Committee of Kansas Territory, at Topeka, this 27th Day of December, A. D. 1855.

J. H. LANE, *Chairman*.

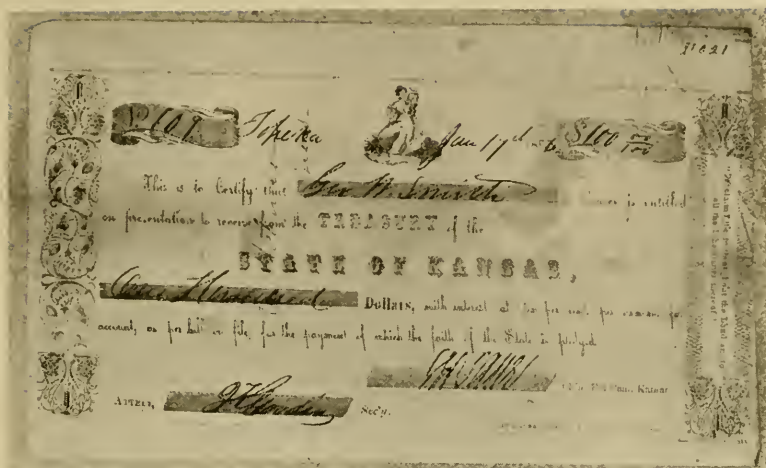
C. K. HOLLIDAY, *Sec. pro-tem*.

LAWRENCE Jan. 16th 1856.

Committee met, present Lane, Smith, Brown Holliday & Goodin.

On motion of J. H. Lane. Messrs G. W. Smith, Turner Sampson, M. C. Dickey, Morris Hunt, J. S. Emery, C. K. Holliday, & J. K. Goodin were appointed General Agents to visit the several states of the Union, to ask appropriations of munitions of war and means for the defence of the citizens of Kansas, and that the Secretary be instructed to issue to each of the Agents who will depart upon their mission the sum of \$200.00 Certificates of indebtedness to bear their expenses, and furnish to them the usual commissions.





TREASURY WARRANT ISSUED BY THE EXECUTIVE COMMITTEE.  
(Facsimile of original belonging to State Historical Society.)

On motion of J. K. Goodin, the vote upon the acceptance of a proposition to purchase 1000 stand of arms was rescinded & the agency given to Mr. G. W. Brown in relation thereto, was revoked. The grounds for the motion, were, that since the former order was made by the Committee, a letter had been received from Mr. Thayer proposing a loan of the Arms without asking *any* remuneration therefor.

On motion of C. K. Holliday it was ordered that the Chairman at the earliest moment appoint a Committee of three (himself being one of that number) to convey to Washington City the Constitution, in order that it be speedily laid before Congress.

Several bills being before the Committee for printing, On motion J. K. Goodin, Brown and Elliott were appointed a committee to so equalize the prices for printing, that there may be uniformity in the bills for printing which may be presented.

The Committee reported as follows and were discharged.

"Resolved: That the prices fixed upon by the Constitutional Convention, shall be adopted in the passage upon further bills for printing.

Signed. J. K. GOODIN,  
G. W. BROWN,  
R. G. ELLIOTT.

An account was presented in favor of William N. Baldwin for Boarding & attendance upon D. Buffam a wounded soldier in the invasion Nov. & Dec. last. The Secretary refused to allow the account for the reason that it was not a "necessary expenditure accruing in the formation of a State Government." The Committee over-ruled the Secretary by a yea & nay vote as follows:

Yeas  
Lane  
Holliday  
Smith

Nays  
Goodin,  
Brown,

So the account was allowed.

On motion of G. W. Smith Certificates of indebtedness for part pay services as members of the Executive Committee were voted as follows:

J. H. Lane.....	\$200.00
G. W. Smith.....	200.00
J. K. Goodin.....	200.00
C. K. Holliday.....	100.00
G. W. Brown.....	50.00

Committee Adjourned

J. K. GOODIN, Sec.

LAWRENCE Jan. 19th 1856

Committee met present Lane, Brown, Holliday Smith & Goodin

On motion of J. H. Lane the following instructions were given to the General Agents appointed by the Committee to visit the States:

**"OFFICE OF THE EXECUTIVE COMMITTEE OF KANSAS TERRITORY**

LAWRENCE 19th Jany. 1856

SIR: By virtue of Authority vested in us as the Executive Committee of Kansas Territory, the Free State Ex. Com, and the Committee of Safety, for the Territory, you are hereby appointed a special Agent to visit the United States for the purposes following to wit:

1st To ask no direct contributions for money, but to urge upon the citizens of the several states the creation of a fund to meet the expenses incurred by the people of Kansas in their defence against FOREIGN INVASION, the protection of their lives and property from LAWLESS DEPREDATIONS, and other expenses connected with the interests of Kansas, said fund to be deposited in some safe Bank in the locality of its creation—placed to the credit and subject to the order of Charles Robinson, J. H. Lane & J. K. Goodin and G. W. Deitzler, to be disbursed by them as they deem necessary for the purposes above named.

2nd To urge the immediate enrollment of all persons willing to aid the citizens of Kansas, in the protection of their lives, property and rights against all future invasion from a Foreign Foe.

Signed J. H. LANE

Ch'n of Ex. Com.

C. ROBINSON

Ch'n of Safety, of Free State Ex. Com & Treas  
Ex. Com. K. T.

GEO. W. DEITZLER

Secy Com. of Safety

J. K. GOODIN

Sec. Ex. Com. K. T. & Free State Ex. Committee.



CERTIFICATE FREE-STATE KANSAS FUND.  
(Facsimile of original belonging to State Historical Society.)



Private instructions were also given in manner following to wit:

SIR: You are hereby instructed in your route to visit  
(The different States are here mentioned.) Spend a few days in Washington City, and return to Kansas at an early day. If you should receive authentic information of an invasion, return instantly with as many emigrants as you can induce to join you

(Signed as above)

The General agents were given the following to be dispatched to the President of the United States.

LAWRENCE CITY K. T. Jan. 21st 1856

*To Franklin Pierce President U. S.*

SIR: We have authentic information that an overwhelming force of the citizens of Missouri are organizing upon our borders, amply supplied with artillery for the avowed purpose of invading this Territory—demolishing our towns, and butchering our unoffending Free State Citizens. We respectfully demand on behalf of the Citizens of Kansas, that the Commander of the U. S. Troops in this vicinity, be immediately instructed to interfere to prevent such an inhuman outrage—Respectfully. Signed J. H. LANE *ch'n*

J. K. GOODIN *Sec'y*

The following is the form of Commissions prepared for the Agents:

KANSAS TERRITORY

*To the People of the United States—Greeting:*

Whereas, The Executive Committee of Kansas Territory, invested with full authority from the PEOPLE of said Territory in GENERAL CONVENTION ASSEMBLED, and approved by the Constitutional Convention, have appointed and by these Letters do appoint

A————— B—————

an Agent of the said Executive Committee, and a Representative of the said Territory of Kansas, to *The people of the United States*, the several Legislatures of the respective States, the Representatives in Congress, and the Heads of the several Departments, to present to them the True condition of said Territory of Kansas, its claims for admission into the Union as a

SOVEREIGN STATE,

and to procure arms and means for protection against all further invasion.

These, therefore, Are to request all persons interested to Receive our Said Agent in the above capacity, and extend to him and his associates, all the aid and encouragement in their power.

In witness whereof—, I have hereunto set my hand at Lawrence the 19th day of January A D 1856

Signed J. H. LANE *Chairman*

J. K. GOODIN *Sec'y*

Below will be found the public instructions given to G. W. Smith, J. S. Emery, Turner Sampson, A. H. Mallory, M. F. Conway, Samuel C. Smith, Morris Hunt and J. H. Lane who were appointed to visit the States as per the Commission above:

OFFICE OF EXECUTIVE COMMITTEE OF K. T.

LAWRENCE January 19th 1856

SIR: By virtue of authority vested in us by the Executive Committee of Kansas Territory, and the Committee of Safety for the Territory, You are hereby appointed a special Agents to visit the United States for the purposes following to wit:

1st To ask no direct contribution for money, but urge upon the citizens of the several States the creation of a fund to meet the expenses incurred by the people of Kansas in their defence against foreign invasion, the protection of their lives and property from Lawless Depredations and other expenses

connected with the interests of Kansas, said fund to be deposited in some safe Bank in the locality of its creation, placed to the credit, and subject to the order of Charles Robinson, J. H. Lane, J. K. Goodin, and G. W. Deitzler, to be disbursed by them as may be deemed necessary for the purposes above named

2nd To urge the immediate organization and enrollment of all persons willing to aid the Citizens of Kansas, in the protection of their lives, property, and rights, against all future invasions of our Territory from a foreign Foe.

Signed

J. H. LANE

*Ch'n of Ex. Com. K. T.*

J. K. GOODIN

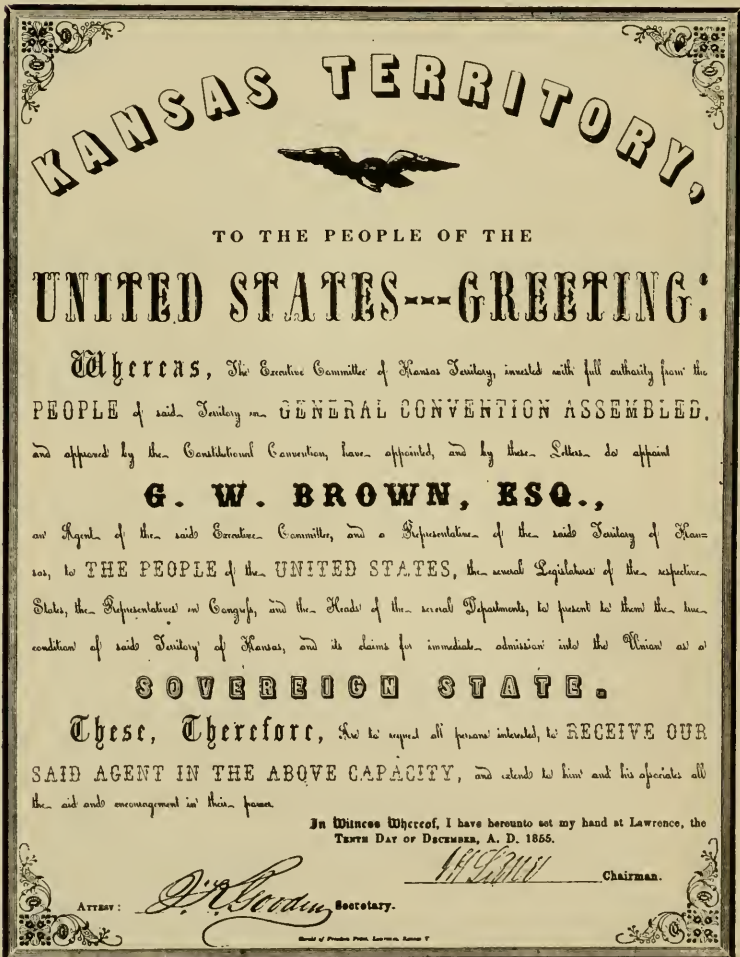
*Sec. Ex. Com. K. T.*

C. ROBINSON

*Ch'n Com. Safety and Treas. Ex. Com. K. T.*

G. W. DEITZLER

*Sec. Com. Safety*



OFFICIAL CERTIFICATE OF G. W. BROWN.  
(Facsimile of original belonging to State Historical Society.)

The following are the private instructions given the Agents:

Messrs \_\_\_\_\_

GENTLEMEN, you are hereby instructed to visit and canvas the States of

\* \* \* \* \*  
\* \* \*  
\* \*  
\*

and return to Kansas at an early day. If you should receive authentic information of an invasion, you will return without delay, with as many *emigrants* as you can induce to attend you.

Signed

J. H. LANE

*Chairman of Ex. Com. of K. T.*

C. ROBINSON

*Pres't Com. Safety*

J. K. GOODIN,

*Sec. Ex. Com. K. T.*

G. W. DEITZLER

*Com. of Safety*

OFFICE OF EXECUTIVE COMMITTEE OF K. T.

LAWRENCE Jany, 20th 1856

The Agents were each authorized to forward to the President of the United States the following dispatch:

LAWRENCE CITY, K. T. Jany 21st 1856

To Franklin Pierce President of the U. S.

SIR: We have authentic information that an overwhelming force of the citizens of Missouri are organizing upon our borders, amply supplied with artillery, for the avowed purpose of invading this Territory,—demolishing our towns—and butchering our unoffending Free State Citizens,

We respectfully demand on behalf of the Citizens of Kansas, that the commandments of the United States troops in this vicinity be immediately instructed to interfere to prevent such an inhuman outrage.

Signed

J. H. LANE

*Ch.n Ex. Com. of K. T.*

C. ROBINSON

*Ch.n Com. Safety.*

J. K. GOODIN

*Sec. Ex. Com. of K. T.*

Geo. W. DEITZLER

*Sec. Com. Safety.*

JANUARY 30th 1856.

Information having been given to the Ex. Committee that Moses M. Robinson member elect of the General Assembly from the *Third District*, had on the 23d inst: deceased the committee to fill the vacancy thus occasioned issued the following

# PROCLAMATION.

Whereas, Moses M. Robinson of the Third Representative District was elected a Representative of the General Assembly at a regular election held in the several precincts of said District in accordance with the provisions of the Constitution recently adopted by the people of KANSAS; and whereas, on the 23d inst: the said MOSES M. ROBINSON deceased; thus creating a vacancy;—therefore, by authority vested in me, I do proclaim and give notice that an election will be held in the several precincts in the said 3d District for one Representative to fill the vacancy aforesaid, on Saturday the 9th day of February A. D. 1856.

Given under my hand at the office of the Executive Committee of Kansas Territory, this 30th day of January A. D. 1856.

By the Chairman J. H. LANE.

J. K. GOODIN *Sec'y.*

Also, Information being given the Committee that Hon. R. P. Brown of the *Twelfth* Senatorial and Representative Districts who was a Representative Elect, deceased on the 18th of Jany, The Chairman of the Committæ was instructed to issue the following

PROCLAMATION.

OFFICE EXECUTIVE COMMITTEE

LAWRENCE Feb 7th 1856.

The voters of the 12th Senatorial District of Kansas Territory, are hereby notified that an election will be held at *Easton* on Saturday, the 23d of February A. D. 1856 to elect a member of the House of Representatives to fill the vacancy occasioned by the butchery of *R. P. Brown Esq.*

Given under my hand the day and year above written.

J. H. LANE *Ch'n Ex. Com. K. T.*

J. K. GOODIN, *Secretary.*

LAWRENCE Feb. 7th 1856.

By reason of an anticipated invasion from the residents of adjoining States, which has, in view of our situation, and the peace, quiet, and protection of our Citizens, rendered it necessary that we should prepare ourselves as fully as possibly for self defence, the Executive Committee feel called upon as the servants of the people to make, in the absence of other authority—orders as follows:

1st That the Executive Committee of Kansas Territory do hereby appoint and commission a

First Major General who shall be Commander in Chief,

A Second Major General,

A Brigadier General,

together with such other officers as may be deemed necessary for the perfecting of a military organization for our protection as Citizens of Kansas, against foreign aggression & intestine war.

The follow[ing] appointments were made and commissions issued as follows

LAWRENCE Feb 7th 1856

OFFICE EXECUTIVE COMMITTEE K. T.

FEBY 7th 1856

*Maj. Genl James H. Lane*

SIR The Executive Committee of K. T. have this day appointed you to the position of 2nd Major General in the service of the People of said Territory, And you are hereby authorized and instructed to take such steps in Connexion with 1st Maj Genl and Commander in Chief Charles Robinson to carry out such military organization as you may in your judgments deem proper for the protection of the people from foreign invasion and intestine war.

Done at the office of the Executive Committee of Kansas Territory the day and year above written

C. K. HOLLIDAY

*Chm Ex Com K. T. Pro tem*

J. K. GOODIN *Secy*

A similar commission to Charles Robinson as 1st Major General and Commander in Chief, & to C. K. Holliday as Brigadier General were issued—Commissions were also given Gaius Jenkins and Milton C. Dickey as Colonels as follows,



OFFICE OF EXECUTIVE COMMITTEE K. T.

LAWRENCE Feb. 7th 1856

By authority given me by the Executive Committee of Kansas Territory You are hereby appointed, (having full confidence in your patriotism and bravery,) to organize and equip a batallion of mounted men for the protection of the State Government, and the Citizens of Kansas. And the people aforesaid are hereby requested to respect you in your position, and aid you in perfecting the organization

Given under my hand this Seventh day of February A. D. 1856

To  
J. K. GOODIN *Sec'y*

J. H. LANE *Ch'n Ex. Com. K. T.*

PROCLAMATION.

*Announcing Result of Election for State Officers.*

By authority vested in me as chairman of the executive Committee of Kansas Territory, I do hereby proclaim that an election held in the different precincts of said Territory on the 15th day of January 1856, as provided for by the Convention which met at Topeka to "frame a Constitution, adopt a Bill of Rights for the people of Kansas, and to take all needful steps toward the formation of a State Government preparatory to the admission of Kansas into the Union" that Charles Robinson having received the highest number of votes cast at said election, has been chosen Governor, and that W. Y. Roberts having received the highest number of votes cast at said election has been chosen Lieut. Governor; and that Philip C. Schuyler having received the highest number of votes cast at said election, was chosen Secretary of State; that G. A. Cutler having received the highest number of votes cast at said election, was chosen as Auditor of State; and that J. A. Wakefield having received the highest number of votes cast at said election, was chosen Treasurer of State and that H Miles Moore having received the highest number of votes cast at said election was chosen Attorney General; and that S. N. Latta, Morris Hunt & M. F. Conway having received the highest number of votes cast at said election, were chosen as Judges of the Supreme Court; and that S. B. Floyd having received the highest number of votes cast at said election, was elected Clerk of the Supreme Court; and that E. M. Thurston having received the highest number of votes cast at said election, was chosen as Reporter of the Supreme Court; and that John Speer having received the highest number of votes cast at said election, was chosen as State Printer.

And I do hereby proclaim, that the same are hereby elected to the positions mentioned, and that they be and appear, as provided in the Constitution after mentioned, at the City of Topeka Kansas on the 4th A. D. 1856.

Given under my hand at the Office of the Executive Committee of Kansas Territory this 6th day of February A. D. 1856.

J. K. GOODIN *Secretary*

J. H. LANE *Ch'n Ex. Com. K. T.*

PROCLAMATION

OFFICE EXECUTIVE COMMITTEE

LAWRENCE K. T. Feby 8, 1856

By authority invested in me as Chairman of the Executive Committee of Kansas Territory, I do hereby proclaim, that at an election held in the several Precincts of said Territory, on the 15th day of January A. D. 1856, as provided for by the Convention which met at Topeka, to frame a Constitution "to adopt a Bill of Rights for the people of Kansas, and take all needful steps toward the formation of a State Government preparatory to the admission of Kansas into the Union" That M. W. Delahay received the largest number of votes at said election for Representative to the 34th Congress of the United States and is hereby declared duly elected as said Representative.

Given under my hand this day and year above written.

J. K. GOODIN *Sec'y*

J. H. LANE *Ch'n Ex Com*



LAWRENCE Feby 11th 1856

Committee met—Present Lane Holliday Brown &amp; Goodin—

On motion of Mr. Holliday the Secy was directed to write M. J. Parrott Esq at Washington City, reminding him of his appointment as Chairman of a Committee of the Executive Committee to draft a memorial to be presented to Congress, setting forth our grievances and asking of Congress the immediate admission of Kansas into the the Union as a State—

On motion Mr Brown, it was resolved, that the four remaining members of the Committee repair to Washington in order to prove as efficient as possible in securing for Kansas her admission into the Union as a Sovereign State, and that the sum of five hundred dollars, certificates of indebtedness, be issued to C. K. Holliday, G. W. Brown, J. K. Goodin, and J. H. Lane toward defraying their expenses thereto, thereat, therefrom, in view of an overland route, and the difficulties and expense incurred in traveling in the present season of the year

Provided that should Lane, Holliday, Brown, and Goodin ascertain that their efficiency would demand of them that they should remain more than thirty days in Washington, that the sum of Six dollars per diem shall be issued to said deputation (certificates of indebtedness aforesaid) for the further defraying of their necessary expenses while engaged in their aforesaid duties—

*Provided further*, that should said deputation leave for Washington on or before the 10th day of March A. D. 1856, or as soon thereafter as practicable, the Secretary be instructed to issue the Scrip aforesaid, yet retaining the same in his hands, after the same shall be countersigned, until such time as he may be satisfied the deputation aforesaid will visit Washington—

That the Secretary be farther instructed to request of M. J. Parrott Esq, now in Washington City, to have written on parchment ready for certifying upon the arrival of the said deputation, the Constitution of the State of Kansas, that the same may be speedily presented to the Congress of the United States asking the immediate admission of Kansas into the Union—

That the Secretary be further instructed to forward to Mr. Parrott a file of the Herald of Freedom containing the Proclamation &c of the Executive Committee, and affording other data to aid him in the preparation of the memorial aforesaid—and that he be requested to remain at Washington till such time as the deputation can reach that point—

<p>Account No 1. Allowed Nov. 1st/55 1—No 1</p>	<p>Executive Com. of Kansas Ter To Capt Thomes Dr Sept. 1855. To 9 days Horse Hire for, Carriers \$11.25 Recd Paymt. Chas. H. Thomes</p>	<p>Delivd to Capt Thomes J K G</p>
<p>No. 2, Allowed Nov. 1st/55 1—2</p>	<p>Lawrence Oct. 22nd 1855, Ex. Com. of Kansas Ter. Bot of P. R. Brooks 4 quires Writing Paper, \$1.00 Recd Paymt, P. R. Brooks</p>	<p>Delivrd to P. R. Brooks J K G</p>
<p>No. 3. Allowed by the Ex. Committee Nov. 1st 1855.</p>	<p>Lawrence Sept 1855 Ex. Com. of Kansas Ter. Dr To Hugh O'Neal To expenses incurred as carrier \$15.00 Recd Paymt H. O'Neill</p>	<p>Delivd to H. O'Neal J K G A new bill was handed in for this % and certificates of indebtness issued therefore of No 138— (3 pieces) J K G</p>
<p>No. 4 Allowed by the Ex. Committee Nov. 1. 1855</p>	<p>Lawrence K. T. Oct. 30/55 Ex. Com. of Kansas Ter. To Miller &amp; Elliott Dr, Oct. 1855, To publication of Proclamation for Election of Delegates for Constitutional Con- vention 38 — To 500 Bills " Convention Proclamation 12 — " Call for Election 4. Recd Paymt \$54.00 Miller &amp; Elliott</p>	<p>Delivd to Miller &amp; Elliott (4ps) (\$81.25 Carried over)</p>
<p>No. 5 Allowed by the Ex. Com. Nov. 1st 1855</p>	<p>Lawrence Sept 1855, Ex. Com. of Kansas Ter. To Speer &amp; Wood Dr, To printing 800 copies of Proclamation for delegates to the Constitutional Convention \$30.00 To 300 Blanks 10.00 " 200 " 8.00 " Blanks 3.00 " Publishing Proclamation 38.00 Recd Paymt \$89.00 Speer &amp; Wood</p>	<p>Recd Payt Nov 10th/55 Speer &amp; Wood</p>

Bills for services &c of Members and officers of Constitutional Convention as per bills filed in their regular order as follows, & other accounts.

1—No. 6	L. Farnsworth for Stationary for use of Convention	\$9.00	Loring Farnsworth
1—No. 7	Ferdinand Wendel 21 days services as messenger to Con Convention, at 1.50	31.50	Ferdinand Wendel
No. 8	Timothy McIntire furnishing lights &c for Con. Convention	10.80	Timothy McIntire
No. 9	R. H. Crosby services as member of Con. Convention mileage	108.00	Reed Pay R. H. Crosby
No. 10	Marcus J. Parrott " " " " " "	108.00	Marcus J. Parrott
No. 11	Caleb May " " " " " "	100.00	Caleb May
No. 12	Thomas Bell " " " " " "	116.00	Thomas Bell
No. 13	Saml. N. Latta " " " " " "	108.00	Reed payment S N Latta
	Printing Bill \$120	120.00	
No. 14	M. W. Delehay " " " " " "	108.00	M. W. Delahay
		\$228.00	
3—No. 15	E. C. K. Garvey Printing for " "	790.00	E. C. K. Garvey
No. 16	David Dodge Services as Member of " " and expenses as messenger	108.00	David Dodge
No. 17	Charles W Stewart " " " " " "	142.00	C. W. Stewart
No. 18	Wm Graham " " " " " "	92.00	Reed payment Wm Graham
No. 19	William Hicks " " " " " "	84.00	William Hicks
No. 20	John Landis " " " " " "	124.00	John Landis
No. 21	Geo. S. Hillyer " " " " " "	96.00	Geo. S. Hillyer
No. 22	Wm R. Griffith " " " " " "	123.00	Wm R. Griffith
	Amt car'd up	\$2552.55	
	Amt Brot forward	2552.55	
No. 23	G. A. Cutler for services of Const. Con	\$124.00	Geo A Cutler
No. 24	James L. Sayle " " " " " "	100.	James L Sayle
No. 25	James M. Arthur " " " " " "	112.	James M Arthur
No. 26	Sanford McDaniel " " " " " "	108.	Sanford McDaniel pr Sayle
No. 27	Samuel Mewhinney " " " " " "	92.	Samuel Mewhinney
" 28	Harrison Burson " " " " " "	94.	Harrison Burson
" 29	Alfred Curtiss " " " " " "	94.	Alfred Curtiss
" 30	J. M. Tuton " " " " " "	94.	J. M. Tuton
" 31	James Redpath services as reporter for the Convention	174.	Jas Redpath
" 32	Morris Hunt Member Convention	96.	M. Hunt
" 33	S. N. Wood services as Clerk to Committee	5.	S. N. Wood
" 34	Charles Robinson Member Convention	96.	C Robinson
" 35	John Dailey services as transcribing clerk Con. Con	105.	Jno Dailey
" 36	Timothy McIntire for News-papers	4.80	Timothy McIntire
" 37	" " services as door keeper	84.00	Timothy McIntire
" 38	J. F. Cummings for pub. Standing Committees	5.25	J. F. Cummings
" 39	James S. Emery Member Convention	96.00	J. S. Emery
" 40	Sanford Henry Expenses as Messenger	35.00	Sanford Henry
" 41	Guilford Dudley " " " " " "	20.00	Guilford Dudley
" 42	E. C. K. Garvey part Stationary bill	474.00	E. C. K. Garvey
10—43	John A Wakefield Member Convention	96.00	John A Wakefield
1—44	Orville C. Brown " " " " " "	112.00	O. C. Brown pr C. A. Foster
11—45	John H. Nesbitt " " " " " "	100.00	John H Nesbitt
1—46	L. Farnsworth Services as Sergeant at arms Con. Con.	84.00	Loring Farnsworth
2—48	Philip Schuyler Member Convention	92.00	P. C. Schuyler per J. K. Goodin
1—49	Robert Klotz " " " " " "	114.—	Robert Klotz by F. L. Crane
1—50	J. G. Thompson " " " " " "	88.—	J. G. Thompson
51	Robert L. Mitchell 11 days services as asst door Keeper	41.—	Robert L Mitchell
1—52	Henry B. Burgess services as Chaplain to Con. Con.	63.—	Henry B Burgess
2—53	Richd Knight Member Convention	124.00	Richd. Knight
2—54	Amory Hunting Member Convention	108.00	Delivered to C. Robin- son by request
10—55	Charles A. Foster services as asst clerk this scrip is counter signed by the Treasurer in black ink	126.00	Charles A. Foster
	Amt Card forward	\$5716.70	
	Amt Brot ford	\$5716.70	
1—No. 56	E. C. K. Garvey Stationary for Con. Convention	\$24.15	E. C. K. Garvey
1—" 57	T. B. Ackley services as messenger for papers	1.00	Paid to Mr Ackley at Lawrence
1—58	C. H. Thomes Horse Hire for Courriers	6.30	Paid to C. H. Thomes at Lawrence
6—59	Geo. W. Smith Member of the Convention	98.00	Geo W. Smith
19—60	J. H. Lane " " " " " "	96.00	J. H. Lane
10—61	J. K. Goodin " " " " " "	98.00	J. K. Goodin
5—62	C. K. Holliday " " " " " "	84.00	C. K. Holliday

1—63	Henry Stevens	for Horse Hire for Courier	5.00	delivd to H. Stevens
3—64	W. Y. Roberts	Mem. Con. Convention	88.00	J. K. G.
4—65	Speer & Ross	Printing	20.00	" to W. Y.
1—66	J. F. Legate	Officer of Election	1.50	Roberts J. K. G.
67				
68				
6—69	G. W. Brown	Printing	125.00	
7—70*	W. Y. Roberts	Agent to the States	200.00*	W. Y. Roberts not having performed his mission has returned this amt
7—70	James Davis	" " " "	200.00	James Davis not having performed his mission, the scrip has been destroyed as above
11—70*	G. W. Brown	" " " "	*200.00	*G. W. Brown not having gone upon his agency the \$200 certificates was returned and destroyed
9—70	M. J. Parrott	" " " "	200.00	—
		as per order of Ex. Com.	200.00	—
37—71	P. C. Schuyler	for further Compensation as agt to U.S.	400.00	—
65—72	C. K. Holliday	Member of Ex. Com. to Cary Constitution to Washington. &c	500.00	—
65—73	G. W. Brown	Member of Ex. Com. to Cary Constitution to Washington. &c	500.00	—
35—74	James H. Lane	Member of Ex. Com. to Cary Constitution to Washington. &c	300.00	—
65—*75	J. K. Goodin	Member of Ex. Com. to Cary Constitution to Washington. &c	500.00	\$9363.65 added thus far
1—76	Lyman Allen	officer in 3 Elections	4.50	*From No. 75 to No. 90 exclusive not added
5—77	A. D. Searl	officer in 3 Elections & office rent Ex. Com.	29.00	A. D. Searl
1—78	W. L. Brigden	officer in 2 Elections	3.00	W. L. Brigden
2—79	John W. Stephens	Distributing Election papers & return Judge	18.00	
1—80	Cummings & Hays	Printing	5.50	Cummings & Hays by C. K. Holliday
1—81	M. J. Mitchell	Officer of 3 Elections	4.50	—
1—82	G. P. Lowry	Stationary	3.00	—
1—83	C. C. Hyde	Services as Carrier	3.00	—
1—84	Saml Sutherland	Clerk of Election	1.50	
1—85	Morris Hunt	Clerk of Election	1.50	
1—86	G. W. & W. Hutchinson	Stationary furniture for office, Lights &c	60.00	—
3—87	Eli Lyman	attention office Ex. Com.	26.00	
6—88	P. O. Conyer	Printing	20.00	by John Speer
1—89	Geo. F. Earl	Clerk of 2 Elections	3.00	
1—*90	Thos Burden	for Wood furnished Ex. office	7.00	*added from No. 90 to Bottom of page
1—91	William Duck	return Judge	36.—	
5—92	G. W. Brown	Printing	249.—	
1—93	E. Clark	Ex Carrier of Election papers	19.—	
1—94	B. G. Cody	Election officer & Return Judge	24.16	paid to G. A. Cutler
1—95	Thos. G. Collins	" " " "	24.16	" to G. A. Cutler
1—96	G. Jenkins	Stove & Furniture for Ex. office	50.35	" over
11—96	Turner Sampson.	Agent to the States	200.00	" " "
7—97	M. F. Conway	" " " "	200.00	
1—98	G. W. Smith	Ex. Carrier of Election papers	20.00	
1—99	J. B. Conway	Services as carrier	5.00	
15—100	J. S. Emery	Agt to the States	200.00	
14—101	Morris Hunt	" " " "	200.00	
1—102	Speer & Ross	Printing	166.00	
9—103	P. O. Conyer	"	101.00	
1—104	J. S. Emery	Ex. Carrier Election papers	20.00	
11—105	G. W. Smith	Agt to the States	200.00	
1—106	Morris Hunt	Ex. Carrier Election papers	25.00	
2—107	G. W. Smith	part. for Services as Member Ex. Com.	200.00	
9—108	James G. Sands	Attendance upon David Buffam a wounded soldier	72.00	
5—109	Samuel C. Smith,	Services as Clk of Con. Convention &c	272.00	
18—110	" " "	Agt to the States	200.00	

1-111	G. W. Brown part for Services as member of Ex. Com.	
	K. T.	50.00
1-112	Caleb S. Pratt, Expenses distributing Election papers	25.00
6-113	Chas Robinson, " " "	104.00
3-114	A. K. Burdett Services rendered Ex. Com.	18.00
15-115	Saml F. Tappan " as asst Clerk of Con. Convention	200.00
7-116	Miller & Elliott Printing	219.00
	Amt Carried over,	\$12170.32
	Amt Brot forward	\$12170.32
24-117	James H. Lane part pay member of Ex. Com.	200.00
1-117	Henry Stephens, Horse Hire for Carrier	5.00
15-118	A. H. Mallory, Agt to the States	200.00
1-119	M. F. Conway, Ex. in distributing Election papers	25.00
1-120	A. H. Mallory " " " "	64.00
1-121	Green B. Raum Officer & return Judge of Election	21.50
1-122	J. S. Emery Clerk of Election	1.50
17-123	J. K. Goodin, part for services as Member of Ex. Com.	200.00
3-124	Jno W. Stephens Services as Return Judge of Elections	23.00
1-125	Chas S Foster Officer & return Judge of Election	12.66
1-126	T. A. Minard, Clerk of Election	1.50
1-127	Stephen Sparks Officer & return Judge of Election	9.50
10-128	James H. Lane Agt to the States	200.00
1-129	J. G. Snodgrass Clerk of Election	1.50
1-130	Thos. Wolverton Clerk of 3 Elections	4.50
1-131	William Jesse Officer & Return Judge of Elections	4.50
3-132	M. J. Mitchell Services as Special Messenger	15.00
1-133	William Riley Officer of 3 Elections	4.50
1-134	Geo. S. Ramsey " " " "	4.50
1-135	S. J. Acklin " " " "	4.50
1-136	W. R. Frost " & return Judge of Elections	5.50
1-137	Eli Allen " of 3 Elections	4.50
3-138	This as a bill which has been twice handed in, it was allowed see Bill No. 3, the scrip for the amt \$15 has been issued under No.— 138—	
4-139	G. F. Warren Ex. in distributing Election papers & return Judge	59.00
3-140	W. N. Baldwin Board & attendance on D. Buffam a wounded soldier	50.00
2-141	C. Hurd & L. L. Hall Board of D. Buffam a wounded soldier	20.00
3-142	Henry Hurd Ex. in distributing Election papers	45.00
3-143	Geo. F. Earl " " " "	40.00
1-144	John Sioxie Horse Hire for Carrier	10.00
1-145	Wm Pennock Officer & return Judge of Election	11.00
1-146	H. Stephens Boarding of Ex. Com.	6.75
12-147	L. W. Horne Services in distributing Election papers	110.00
	Amt Carried forward	\$13834.73
	Amt Brot forward	\$13834.73
1-148	H. L. Enos Officer of 2 Elections	3.00
1-149	P. T. Hupp " " " "	3.00
1-150	E. P. Richardson " " 1 Election	1.50
1-151	P. O. Conver Printing	5.00
1-152	James H. Greene Extra labor Printing	10.00
3-153	Hiram Dunbar Ex. & Services in distributing election papers	39.25
1-154	William Duck Return Judge	8.00
7-155	R. L. Mitchell Services in distributing Election papers	55.00
1-156	Chas Jordon Officer & return Judge of Election	6.00
3-157	T. R. Foster Services in distributing Election papers	30.00
1-158	J. H. Crane Ex. Labor. Printing	5.00
3-159	Theron Tucker Services in distributing Election papers	65.00
5-160	A. H. Barnard " " " "	65.00
7-161	C. N. Gray " " " "	40.00
7-162	H. Stratton " " " "	80.00
1-163	J. F. Cummings Judge of 2 Elections	3.00
5-164	M. C. Dickey Services distributing Election papers	46.00
8-165	C. Hurd & L. L. Hall. Board of D. Buffam	10.00
8-166	C. K. Holliday part services as Member of Ex. Com.	
	K. T.	100.00
1-168	P. S. Hutchinson Officer in 2 Elections	3.00
8-169	E. C. K. Garvey Printing Bill & Office rent 1 qr	679.00
1-170	" " Services as asst secy of Ex. Com	
	& office rent 1 qr	45.00

not added

not added

Redeemed by W. Y. Roberts paying it in on 200\$ issued to him as agt to the State—he not going—



1-171	Clark & Blood	Fuel for Office	1.62
1-172	G. W. Brown	Printing	12.50
11-173	"	"	50.80
1-174	J. H. Shimmons,	Officer in 3 Elections	4.50
6-175	Morris Hunt,	Loss of Horse in Canvassing with election papers	60.00
Expenses entire in the Organization & up to State Govt			\$15265.90

AUTOGRAPHS of Members elected to the First CONSTITUTIONAL CONVENTION taken by the Secretary of the "Executive Committee of Kansas Territory," to be deposited as may be provided by Law in the Archives of the State of Kansas for future Lithographing.

Autographs of Members elected to the First Constitutional Convention taken by the Secretary of the "Executive Committee of Kansas Territory," to be deposited as may be provided by Law in the Archives of the State of Kansas for future Lithographing.

Members Names	Residence	Occupation	Where Born	Age	Marital Single	Political Beliefs
Buty Convention						
<i>W. H. Smith</i>	<i>Lancaster</i>	<i>Surgeon</i>	<i>Kentucky</i>	<i>33</i>	<i>Married</i>	<i>Democrat</i>
<i>John Sanders</i>	<i>Saniflu</i>	<i>Farmer</i>	<i>Kentucky</i>	<i>28</i>	<i>Married</i>	<i>Democrat</i>
<i>Thomas M. Arthur</i>	<i>Sugar Creek</i>	<i>Farmer</i>	<i>Indiana</i>	<i>35</i>	<i>Married</i>	<i>Democrat</i>
<i>Leifred Hartog</i>	<i>Osawatomie</i>	<i>Lawyer</i>	<i>New York</i>	<i>32</i>	<i>Single</i>	<i>Whig</i>
<i>James L. Hays</i>	<i>Neosho</i>	<i>Farmer</i>	<i>Missouri</i>	<i>37</i>	<i>Married</i>	<i>Whig</i>
<i>James G. Dyer</i>	<i>Lecompton</i>	<i>Lawyer</i>	<i>N.Y.</i>	<i>25</i>	<i>Single</i>	<i>Democrat</i>

FACSIMILE OF FIRST PAGE OF AUTOGRAPHS.

MEMBERS NAMES	Residence.	Occupation.	Where born.	Age.	Married or Single.	Former Politics.
<i>Prest of Convention</i>						
J. H. Lane . . . . .	Lawrence	Lawyer	Kentucky	33	Married	Democrat
John Landis . . . . .	Doniphan	Farmer	Kentucky	28	Married	Democrat
James M. Arthur . . . . .	Sugar Creek	Farmer	Indiana	38	Married	Democrat
Alfred Curtiss . . . . .	Bloomington	Lawyer	New York	32	Single	Whig
James L. Sayle . . . . .	Kickapoo	Farmer	Illinois	37	Married	Whig
David Dodge . . . . .	Leavenworth	Lawyer	N. Y.	25	Single	Democrat
Joel K. Goodin . . . . .	Clear Lake	Lawyer & Farmer	Ohio	31	Married	Democrat
Geo. S. Hillyer . . . . .	Grasshopper Falls	Farmer	Ohio	35	Married	Whig
J. S. Emery . . . . .	Lawrence	Lawyer	Maine	26	Single	Democrat
Philip Church Schuyler . . . . .	Council City	Farmer	New York	50	Married	Republican
Morris Hunt . . . . .	Lawrence	Lawyer	Ohio	27	Single	Whig
John A. Wakefield . . . . .	Elvian Plains	Lawyer	South Carolina	23	Married	Whig
George Albert Cutler . . . . .	Doniphan City	Physician	Tennessee	44	Single	Republican
Orville G. Brown . . . . .	Oswatimie	Farmer	New York	44	Married	Whig
Charles Walter Stewart . . . . .	Doniphan	Farmer	Kentucky	42	Married	Democrat
Samuel Mewhinney . . . . .	Prairie City	Farmer	Ohio	45	Married	Democrat
Mark Wm Delahay . . . . .	Leavenworth City	Lawyer	South Carolina	26	Single	Democrat
Geo. W. Smith . . . . .	Lawrence	Lawyer & Journalist	Mass.	37	Married	Democrat
Chas Robinson . . . . .	Leavenworth City	Agent Em. Aid Co.	Mass.	37	Married	Democrat
Harrison Burson . . . . .	Bloomington	Atty At Law	Penna	50	Married	Independent
Richd Knight . . . . .	Hampden	Farmer	Virginia	36	Married	Whig
Robert Klotz . . . . .	Pawnee	Clergyman	England	48	Married	Independent
William Graham . . . . .	Praria Cit	Phisicion	Pennsylvania	35	Married	Democrat
Samuel N. Latta . . . . .	Leavenworth City	Atty	Ireland	39	Boy	Dem
C. K. Holiday . . . . .	Topeka	Lawyer & Farmer	Ohio	36	Married	Whig
James Madison Tuton . . . . .	Bloomington	Minister & Farmer	Pennsylvania	29	Married	Democrat
William Young Roberts . . . . .	Washington	Farmer	Tenn	33	Married	Democrat
John G. Thompson . . . . .	Silver Lake	Farmer	Penna	41	Single	Democrat
R. H. Crosby . . . . .	Deena	Saddler	Penn	55	Married	Democrat
Amory Hunting . . . . .	Manhattan	Merchant	Maine	21	Married	Republican
Stanford McDaniel . . . . .	Residence Round Prearie	Physician	Mass.	61	Single	Republican
John H. Nesbitt . . . . .	Wabaunsee	Farmer	N Carolina	31	Married	Democrat
Wm R. Griffith . . . . .	Fort Scott	Merchant	Pa	29	Single	Dem
Thomas Bell . . . . .	Burr Oak Bottom	Farmer	Indiana	35	Married	Fresoil Demo.
Caleb May . . . . .	Osenia	Farmer	Kentucky	45	Married	Democrat
				40	Married	Democrat

<i>Chief Clerk.</i> Samuel C. Smith.....	Lawrence	Farmer	Massachusetts	27	Married	Republican
<i>Asst Clerk</i> Charles A. Foster.....	Osawatomie	Lawyer	Massachusetts	28	Married	Republican
<i>Enrolling Clerks</i> Sam. F. Tappan.....	Lawrence	Mechanic	Massachusetts	24	Single	Abolitionist
Jno. Dally.....	Topeka	Farmer	Indiana	22	Single	Democrat
<i>Reporter of Convention</i> Jas Redpath.....	St. Louis	Journalist	England	22	Single	Emancipationist
<i>Sergeant at Arms</i> Loring Farnsworth.....	Topeka	Merchant	N. H.	23	Single	Republican
<i>Door Keeper</i> Timothy McIntire.....	Topeka	Mechanic	N Hampshire	36	Married	Rep
<i>Reporter for N. Y. Tribune</i> William Phillips.....	Chester, Ill.	Journalist & Lawyer	Scotland	30	Married	Independent Whig
<i>Reporter of St. Louis Democrat</i> Jas Redpath.....	St. Louis	Journalist	England	22	Single	Emancipationist
<i>Reporter of Kansas Tribune</i> John Speer.....	Lawrence	Printer	Pennsylvania	38	Married	Whig
<i>Reporter of Columbian</i> Samuel N. Wood.....	Lawrence	Lawyer	Ohio	25	Married	Independent Demo- crat
<i>Reporter of Kansas Intelligencer</i> C. P. Chapman.....	Whitfield	Physician	Ohio	30	Married	Abolitionist
<i>Reporter of Kansas Freeman</i> E. C. K. Garvey.....	Topeka City	Attorney at Law	Ireland	40	Married	Democrat

JOURNAL OF THE HOUSE OF REPRESENTATIVES OF THE STATE  
OF KANSAS, March 4, 1856.

CITY OF TOPEKA 12 o'clock M.

At the first session of the first General Assembly of Kansas under the Constitution of said State which was framed by a convention convened at Topeka on the 23d day of October A. D., 1855, and ratified by the people on the 15th day of December A. D., 1855 at 12 o'clock M. on Tuesday the 4th day of March A D, 1856, in pursuance of the 3d section of the Schedule attached to said constitution. The house was called to order by J. H. Lane Chairman of the "Executive Committee of Kansas Territory" with C. K. Holliday Secretary pro tem of Executive Committee aforesaid

Upon a call of the roll of members Elect it was ascertained that a quorum was not present whereupon on motion of Mr. Blood the meeting adjourned until 2 o'clock P. M.

2 o'clock P.M.

Met pursuant to adjournment. The roll being called the following gentlemen answered to their names:

1st District.....	S. N. Hartwell
	J. B. Abbott
	H. F. Saunders
	James Blood
	Columbus Horsnby
	E. B. Purdam
	James McGhee
2d District.....	Alfred Curtis
	J. M. Tuton
	S. Walker
3d District.....	Milton C. Dickey
	William R. Frost
	W. A. Simmerwell
4th District.....	Samuel Mewhinney
	S. T. Shores
5th District.....	Horace W. Tabor
	D. Toothman
	Henry Todd
6th District.....	Thomas J. Addis
7th District.....	Wm. M. McClure
9th District.....	William Hicks
	William B. Wade
10th District.....	A. M. Jameison
11th District.....	E. R. Zimmerman
	John W. Stephens
	William Crosby
12th District.....	J. K. Edsall
	Stephen Sparks
	Patrick R. Orr
	Thomas A. Minard
	Isaac Cody

The Chairman having announced that a quorum of the House were in attendance the oath of office was administered them by the Chairman of the "Executive Committee of Kansas Territory"

On motion of Mr. Addis the House proceeded to the election of a Speaker to serve during the session and the following was the result of the balloting:

Thomas A. Minard	had 17 votes
James Blood	had 8 votes
J. M. Tuton	had 3 votes

Thomas A Minard having received a majority of all the votes given was declared duly elected Speaker of the House and proceeded to the discharge of his duties the oath of office upon motion of Mr. Blood being administered by Mr. Tuton

On motion of Mr. Blood the House then proceeded to the election of a Chief Clerk to serve during the present session and the following was the result

J. K. Goodin	had 23 votes
G. F. Warren	had 5 votes

J. K. Goodin having received a majority of all the votes given was declared duly elected Chief Clerk of the House of Representatives to serve during the present session and the oath of office being administered proceeded to the discharge of his duties. Mr. Dickey being appointed a committee of one to wait upon Mr. Goodin and inform him of his election.

On motion of Mr. Curtis House proceeded to the election of assistant clerk and the following was the result

Josiah Miller	had 12 votes
Samuel F. Tappan	had 12 votes
Necessary to a choice	13 votes

There being a tie vote the House proceeded to the second balloting and the following was the result Josiah Miller having withdrawn

S. F. Tappan	had 20 votes
S. Tucker	" 8 "

Samuel F. Tappan having received a majority of all the votes given was declared duly elected assistant Clerk of the House of Representatives to serve during the present session and the oath of office being administered proceeded to the discharge of his duties

House then proceeded to the election of a Transcribing Clerk and the following was the result

Mr. Snodgrass	had 13 votes
Caleb S. Pratt	had 3 "
Mr. Lawrence	had 1 "
S. Tucker	had 8 "
T. Sumner	had 4 "
Whole number of votes cast	29 "
Necessary to a choice	15

No person having received a majority of all the votes cast it was declared that there was no election A second balloting was had which resulted as follows

Mr. Snodgrass	had 21 votes
Caleb S. Pratt	had 2 "
S. Tucker	had 7 "
T. Sumner	had 1 "



Mr. Snodgrass having received a majority of all the votes cast, was declared duly elected Transcribing Clerk to serve during the session and the oath of office being administered proceeded to the discharge of his duties.

The House then proceeded to the election of an assistant Transcribing Clerk which resulted as follows

Caleb S. Pratt	had	3	votes
G. F. Gordon	had	18	"
S. Tucker	had	7	"
George S. Ramsey	had	3	"
Whole number of votes cast		31	"
Necessary to a choice		16	

G. F. Gordon having received a majority of all the votes given was declared duly elected Assistant Transcribing Clerk for the House of Representatives to serve during the present session and the administration of the oath was deferred Mr. Gordon not being present.

On motion of Mr. Tuton the House proceeded to the election of Sergeant at Arms which resulted as follows

Edward Emerson	had	7	votes
M. J. Mitchell	had	24	"
Whole number of votes		31	"

M. J. Mitchell having received a majority of all the votes given was declared duly elected and having taken the oath of office proceeded to the discharge of his duties

On motion of Mr. Hartwell House proceeded to the election of Assistant Sergeant at Arms and the following was the result

Jacob Branson	had	4	votes
Edward Emerson	had	9	"
Swain	had	7	"
L. Farnsworth	had	11	"
Whole number of votes		31	votes
Necessary to a choice		16	do

No person having received a majority of all the votes given it was declared there was no election The House then proceeded to a second balloting which resulted as follows

Jacob Branson	had	2	votes
Edward Emerson	had	5	"
Mr. Swain	had	15	"
L. Farnsworth	had	9	"
Whole number of votes		31	"
Necessary to a choice		16	

No person having received a majority of all the votes given a third balloting was had with the following result

Edward Emerson	had	1	vote
Mr. Swain	had	22	"
L. Farnsworth	had	8	"
Whole number of votes		31	
Necessary to a choice		16	

Mr Swain having received a majority of all the votes given was declared duly elected and having taken the oath of office proceeded to the discharge of his duties

On motion of Mr. Blood House proceeded to the election of Doorkeeper with the following result

Jacob Branson	had 25 votes
Mr. Moore	had 4 "
E. Dudley	1 vote
George Earl	1 "
Whole number of votes	31
Necessary to a choice	16

Jacob Branson having received a majority of all the votes given was declared duly elected and having taken the oath of office proceeded to the discharge of his duties

On motion of Mr. Blood the House proceeded to the election of Assistant Door Keeper to serve the present session and the following was the result

L. Farnsworth	had 10 votes
Mr. Moore	" 4 "
Mr. Leonard	" 1 "
George Earl	" 13 "
Mr. Cleveland	" 2 "
Whole number of votes	30
Necessary to a choice	16

No person having received a majority of all the votes given it was declared there was no election whereupon the House proceeded to a second balloting with the following result

George Earl	had 8 votes
L. Farnsworth	" 21 "
Mr. Cleveland	1 "
Mr. Moore	1 "
Whole number of votes cast	31 "
Necessary to a choice	16

Loring Farnsworth having received a majority of all the votes given was declared duly elected on account of the absence of Mr. Farnsworth the administration of the oath was deferred

On motion of Mr. Tuton House proceed to the election of chaplain to serve during the present session which resulted as follows

Rev. Burgess	had 8 votes
Rev. Segraves	had 11 votes
Rev. Lovejoy	" 12 "
Whole number of votes	31
Necessary to a choice	16

No person having received a majority of all the votes given it was declared there had been no election whereupon the House proceeded to a second balloting with the following result

Rev. Burgess	had 3 votes
Rev. Segreaves	had 12 "
Rev. Lovejoy	had 16 "
Whole number of votes	31
Necessary to a choice	16

Rev. Lovejoy having received a majority of all the votes given was declared duly elected as Chaplain for the House of Representatives during the present session

## MESSAGE FROM THE SENATE

MR. SPEAKER The following resolution has been adopted by the Senate,  
Relative to the organization of the Senate

Relative to the announcement by the Executive Committee of Kansas  
Territory of the result of the Election for State officers and witnessing the  
administration of the oath of office to them

A. ALLEN *Secretary*

On Motion of Mr. Crosby the House proceeded to the election of one  
messenger to serve during the present session and the following was the  
result

John M. Speer	had 22 votes
David Segraves	" 7 "
Wentworth	" 2 "

John M. Speer having received the majority of all the votes given was  
declared duly elected and having taken the oath of office entered upon the  
discharge of his duties

The House then proceeded to the election of an assistant messenger and  
the following was the result David Segraves had 22 votes and being declared  
duly elected took the oath of office and entered upon the discharge of his  
duties

Mr. Blood offered the following resolution

*Resolved* that the Clerk of this House inform the Senate that a quorum  
of the House having appeared and answered to their names that a Speaker  
has been elected and that the House is now ready to proceed to business—  
carried

On motion by the same gentleman

*Resolved.* That a committee of two be appointed by the Chair to wait  
upon the Governor and State Officers in conjunction with such committee  
as may be appointed by the Senate and inform them of the time designated  
to take the oath of office

The Speaker appointed Mess Blood and Tuton

On motion of the same gentleman

*Resolved* that William Hutchinson Esq, be admitted within the bar of  
this House as Reporter for the New York *Dailey Times*

On motion of Mr. Tuton

*Resolved* that the Senate be invited to the Hall of the House of Repre-  
sentatives at 10 o'clock tomorrow to hear from the Executive Committee  
in joint convention the result of the late Election for State Officers and to  
witness the administration of the oath of office to the same and that seats  
be provided on the right of the Speaker's chair for the accomodation of the  
Senate

Mr. Blood moved to amend by striking out the words 10 o'clock A. M.  
tomorrow and inserting 5 o'clock P. M. this day

Amendment was carried.

Question being on the adoption of the resolution as amended it was  
adopted

Mr. Blood offered the following

*Resolved* that G. W. Brown be admitted to a seat within the bar of this  
House as reporter for the *Herald of Freedom* and the New York *Courier and*  
*Inquirer*

Resolution adopted

On motion of the same gentleman a committee of three were appointed to report Rules for the Government of the House

The Chair appointed Mess. Blood Dickey and Tuton that committee

On motion of the same gentleman it was Resolved that when this House adjourn it do adjourn until nine o'clock tomorrow morning.

On motion the House took a recess of fifteen minutes

5 O'clock P. M.

JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES

The hour appointed having arrived for a joint session of both houses The Senate was announced whereupon the Chairman of the Executive Committee of Kansas Territory proclaimed the election by the people on the 15th day of January A. D. 1856 of

Charles Robinson	as Governor of the State of Kansas
Wm. Y. Roberts	as Lieut. Governor of the State of Kansas
P. C. Schuyler	as Secretary of State
George A. Cutler	as Auditor of State
John A. Wakefield	as Treasurer of State
H. Miles Moore	as Attorney General
S. N. Latta	} as Supreme Judges
M. F. Conway	
Morris Hunt	
E. M. Thurston	as Reporter of the Supreme Court
S. B. Floyd	as Clerk of the Supreme Court
John Speer	as State Printer
Mark W. Delahay	as Representative in Congress

Charles Robinson Governor was introduced and took the oath of office which was administered him by the President of the Senate whereupon the following inaugural address was delivered by his Excellency

*Fellow Citizens of the General Assembly*

On taking the oath of office and assuming the duties of the Executive of the State of Kansas a word from me may not be improper

It has pleased the people of Kansas to call us from our accustomed duties to discharge high and important trusts In our keeping for a brief period is placed the Legislative and Executive power of the new State To us the people look for wise and wholesome laws and the faithful administration of the Government on the true principles of Republicanism and Squatter Sovereignty In the Execution of this trust it will be my pleasure no less than my duty to cooperate with you in all measures for the good of the people

Our position is peculiar. Although the people of Kansas have followed precedents set them by other new States and sanctioned by Congress and the proceedings in the formation of a State Government are all regular yet for the first time in the history of our country the President and his appointees characterize the movement as treasonable

This was not to be expected from the advocates of the Kansas-Nebraska act which professes to leave the people of the Territories perfectly free to form and regulate their domestic institutions in their own way subject only to the Constitution of the United States. Some of the people of an adjoining State unite with the President in opposing the people of Kansas in forming and regulating their own government and threaten our destruction if we do not conform to their dictation

Should the course indicated by the President and the people of another State be persisted in and our rights again be trampled in the dust by official interference or lawless invasion the people of Kansas would be justified



before the world in asserting their rights by revolution but since it is believed that Congress will grant to us the same rights and immunities that it has granted to other States the people of Missouri and the Federal Executive to the contrary notwithstanding it is better to suffer while evils are sufferable than attempt to right ourselves by a hasty resort to extreme measures

Our course as a people thus far has been distinguished for forbearance long suffering and patience and good policy would still dictate that every honourable effort be made to establish and cultivate friendly relations with our oppressors especially with the people of our adjoining Sister State

Nothing should be done in a spirit of retaliation but rather of conciliation

Although our own rights have been repeatedly invaded and wrested from us let us show that we respect the constitution and laws of our land and the rights of the people of the respective States That until forbearance ceases to be a virtue and becomes cowardice and oppression becomes insufferable we will ever be found loyal citizens of the Government

Important questions will come before you for consideration and it cannot be expected that perfect unanimity will prevail upon any subject yet it is desirable and necessary with the various elements in a legislature of a new State that a spirit of concession and harmony should characterize the members that the enactments may carry with them a moral force that will cause them to be respected by the people.

The position allotted us by the partiality of our fellow citizens is one of great responsibility and we need that wisdom which comes from above to so direct us that we may render a good account of our actions to our constituents and posterity

John A. Wakefield Treasurer Elect  
H. Miles Moore Attorney General Elect  
Morris Hunt Supreme Judge Elect  
and John Speer State Printer Elect

came forward and took the oath of office

No further business being before the convention it was declared adjourned  
Sine Die

On motion of Mr. Addis the Sergeant at Arms was instructed to procure a sufficiency of lights fuel Stationary &c for the comfort and convenience of the members of the House

On motion of Mr. Curtiss House adjourned until tomorrow morning 9 o'clock The following special message from the Governor was read to the House prior to adjournment

*To the Senate and House of Representatives*

GENTLEMEN In accordance with the provision of the constitution I have this day appointed Robert Klotz Secretary of State to fill the vacancy occasioned by the absence from the State of P. C. Schuyler Secretary Elect  
TOPEKA March 4. 1856

(signed) C. ROBINSON  
J. K. GOODIN *Chf Clk H. Rep.*

HOUSE OF REPRESENTATIVES

TOPEKA March 5th 1856

House called to order by the Speaker

Prayer by the Rev. Mr. Tuton

A call of the House being had 29 members answered to their names. A quorum being present further proceedings under the call was dispensed with

The Sergeant at Arms was dispatched for absentees. Journal of yesterday read amended and approved Mr. H. H. Williams and John Brown Jr appeared and took the oath of office

On motion of Mr. Frost

*Resolved* that a committee of two be appointed by the Chair to wait upon.



the Governor in conjunction with such committee as may be appointed by the Senate to inform him that the two houses have organized and are ready to receive any communication which he may have to make.

On motion of Mr. Tuton resolution was laid on the table.

Mr. Blood Chairman of Committee on rules and regulations for the government of the House reported as follows

RULES AND ORDERS OF THE HOUSE

*Touching the Duties and rights of the Speaker*

1st. He shall take the chair every day at the hour to which the House shall have adjourned on the preceeding day, and immediately call the members to order. If a quorum shall be in attendance he shall cause the journal of the preceeding day to be read

2d. He shall preserve order and decorum he may speak to points of order in preference to members rising from his seat for that purpose he shall decide questions of order subject to an appeal to the House by any two members on which appeal no member shall speak more than once unless by leave of the House

3d. He shall rise to put a question but may state it while sitting

4th Questions shall be distinctly put in this form to wit as many as are of the opinion that (as the question may be) say aye: and after the affirmative voice is expressed As many as are of the contrary opinion say no.

If the Speaker doubts or if a division be called for the house shall divide those in the affirmative of the question shall rise from their seats and remain until counted afterwards those in the negative

5th. The Speaker shall have the right to examine and correct the journal before it is read He shall have a general direction of the Hall He shall have the right to name any member to perform the duties of the Chair but such substitution shall not extend beyond an adjournment

6th In all cases of Election by the House the Speaker shall vote, in other cases he shall not vote unless the House be equally divided or unless his vote if given to the minority will make the division equal and case of such Equal division the question shall be lost

7th All committees shall be appointed by the Speaker unless otherwise Especially directed by the House in which case they shall be elected by a viva voce vote and if upon such vote the number required shall not be elected by a majority of the votes given the House shall proceed to a second vote in which a plurality of votes shall prevail and in case a greater number than is required to compose or complete a committee shall have an equal number of votes the House shall proceed to a further vote or votes

8th In all cases other than the election of committees, a majority of the votes given shall be necessary, to an election and when there shall not be such a majority on the first vote the vote shall be repeated until a majority be obtained

9th All acts adresses and joint resolutions shall be signed by the Speaker and all writs warrants and subpoenas issued by order of the House shall be under his hand and seal attested by the Clerk.

10th In case of any disturbance or disorderly conduct in the gallery or lobby the Speaker shall have power to order the same to be cleared

11th No person shall be admitted within the bar but the officers of the General or State Government and such other persons as the House may think proper to invite

*Rules of decorum and debate*

12th When any member is about to speak in debate or deliver any matter to the House he shall rise from his seat and respectfully address himself to Mr. Speaker and shall confine himself to the question under debate and avoid personality

13th If any member in speaking or otherwise transgress the rules of the House the Speaker shall or any member may call to order in which case the

member so called to order shall immediately sit down unless permitted to explain and the house shall if appealed to decide on the case but without debate if there be no appeal the decision of the chair shall be submitted to If the decision be in favor of the member called to order he shall be at liberty to proceed without leave of the House and if the case require it he shall be liable to the censure of the House

14th When two or more happen to rise at the same time, the Speaker shall name the person who is first to speak

15th No member shall speak more than twice on the same question or more than one half hour on each occasion without leave of the House nor more than once until every member choosing to speak shall have spoken But the mover of any proposition shall have the right to open and close the debate and in case the proposition comes from any committee then the number [member] making the report from the committee shall have the right to open and close the debate

16th Whilst the Speaker is putting any question or addressing the House none shall walk out of or across the House nor in such case or when a member is speaking shall entertain private discourse nor whilst a member is speaking shall pass between him and the chair

17th No member shall vote on any question in the event of which he is immediately and particularly interested or in any case where he was not present when the question was put

18th Every member who shall be within the bar of the House when a question is put shall give his vote unless the House shall for special reasons Excuse him No member shall be allowed to make any explanation of a vote he is about to give or ask to be excused from voting after the Clerk under the order of the House shall have commenced calling the yeas and nays.

19th When a motion is made and seconded it shall be stated by the Speaker or being in writing it shall be handed to the chair and read aloud by the Clerk before debated

20th Every motion shall be reduced to writing if the Speaker or any member desire it

21st After a motion is stated by the Speaker or read by the Clerk it shall be deemed to be in possession of the House but may be withdrawn at any time before a decision or amendment

22d When a question is under debate no motion shall be received but 1st to adjourn 2d to lay on the table 3d for the previous question 4th to postpone to a day certain 5th to commit 6th to amend or 7th to postpone indefinitely which several motions shall have precedence in the order in which they are arranged, and no motion to postpone to a day certain to commit or postpone indefinitely be decided shall be again allowed on the same day and at the same stage of the bill or proposition. A motion to strike out the enacting words of the bill shall have precedence of a motion to amend and if carried shall be considered equivalent to its rejection

23d A motion to adjourn shall always be in order that and the motion to lie on the table shall be decided without debate

24th The previous question shall be in this form shall the main question be now put? It shall only be admitted when sustained by a majority of the members present and when carried its Effect shall be to put an end to all debate and to bring the House to a direct vote

25th When a question is postponed indefinitely the same shall not be acted upon again during the session.

26th Any member may call for the division of a question when the same will admit of it a motion to strike out and insert shall be deemed indivisible But a motion to strike out being lost shall preclude neither amendment nor a motion to strike out and insert

27th Motions and reports may be committed at the pleasure of the House

28th When a motion has been made and carried in the affirmative or negative it shall be in order for any member of the majority to move for the reconsideration thereof on the same or the next sitting day

29th When the reading of a paper is called for and the same is objected to by any member the House shall determine whether said paper shall be read or not

30th When a resolution shall be offered or a motion made to refer any subject and select and standing committees shall be proposed the question for reference to a Standing Committee shall be first put

31st Every order resolution or vote to which the Concurrence of the Senate shall be necessary shall be read to the House and laid on the table on a day preceeding that in which the same shall be moved unless the House shall otherwise Expressly allow.

32d Petitions Memorials and other papers addressed to the House shall be presented by the Speaker or by a member in his place. a brief statement of the contents thereof shall verbally be made by the introducer and shall not be debated or decided on the day of their being first read unless where the house shall direct otherwise but shall lie on the table to be taken up in the order they were read

33d Any ten members (including the Speaker if there be one) shall be authorized to compel the attendance of absent members

34th Upon calls of the House or in taking the yeas and nays on any question the names of the members shall be called alphabetically and no member shall be allowed to vote Except he be in his seat

35th No member shall absent himself from the service of the House unless he have leave or be unable from sickness to attend

36th Upon the call of the House the names of the members shall be called over by the clerk and the absentees noted after which the names of the absentees shall again be called over the doors shall then be shut and those for whom no excuse or insufficient excuses are made may by order of those present if ten in number be taken into custody as they appear or may be sent for and taken into custody wherever to be found by special messengers to be appointed for that purpose

37th When a member shall be discharged from custody and admitted to his seat the House shall determine w[h]ether such discharge shall be with or without paying fees and in like manner w[h]ether a delinquent member taken into custody by a special messenger shall or shall not be liable to defray the expense of such special messenger

38th A Sargeant at Arms shall be appointed to hold his office during the pleasure of the house whose duty it shall be to attend the House during its sitting to execute the commands of the House from time to time together with all such process[es] issued by the authority thereof as shall be directed to him by the Speaker

*Order of Business of the day*

39th As soon as the journal is read the Speaker shall ask if there are any petitions or memorials to be presented. The petitions and memorials having been presented and disposed of reports first from standing and then from the Select committees shall be called for and disposed of after which the Speaker shall dispose of the bills messages and communications on his table and then proceed to call the order of the day

40th The unfinished business in which the house was engaged at the time of the last adjournment shall have the preference in the orders of the day and no motion or any other business shall be received without special leave of the House until the former is disposed of

41st All questions relating to the priority of business shall be decided without debate

42d Eighteen Standing Committees shall be appointed at the commencement of the session

To consist of five members each

A Committee of Ways and Means

A Committee of Elections

A Committee of Claims

A Committee on the Judiciary

A Committee on Militia

A Committee on Agriculture and Manufactures

A Committee on Apportionment

A Committee on Corporations and Banking



A Committee on Education  
 A Committee on Public Institutions  
 A Committee on Vice and Immorality  
 A Committee on Finance and taxation  
 A Committee on Accounts  
 A Committee on Printing  
 A Committee on State Lands  
 A Committee on New Counties and County Lines  
 A Committee on Public Roads  
 A Committee on Internal Improvements

The several standing committees of the House shall have leave to report by By Bill or otherwise No Committee shall sit during the sitting of the House without special leave

The Clerk of the House shall take an oath for the true and faithful discharge of the duties of his office to the best of his knowledge and abilities and shall be deemed to continue until another be appointed

#### *On Bills*

Every bill shall receive three readings in the house previous to its passage and all bills shall be dispatched in order as they were introduced unless where the House shall direct otherwise but no bill shall be read twice on the same day without special order of the House

Upon a second reading of a bill the Speaker shall state it as ready for commitment or engrossment and if committed the question shall be whether to a select or standing committee or to a committee of the whole House

After commitment and report thereof to the House or at any time before its passage a bill may be recommitted

All bills ordered to be engrossed shall be executed in a fair round hand

No amendment by way of Ryder shall be received to any bill on its third reading

When a bill shall pass it shall be certified by the Clerk noting the day of its passage at the foot thereof

#### *Of Committes of the Whole House*

When the House shall determine to go into committee of the whole the Speaker shall appoint the member who shall take the Chair

On all questions and motions whatever the Speaker shall take sense of the House by yeas and nays provided two of the members present shall so require

Every question of order shall be noted by the Clerk with . . . . . thereon and inscribed at large on the Journal

Upon bills committed to the committee of the whole House the bill shall first be read throughout by the Clerk and then again read by the Clerk and then again read and debated by clauses the body of the bill shall not be defaced nor interlined but all amendments noting the page and line shall be duly entered by the clerk on a separate paper as the same shall be agreed to by the committee and so report to the House After report the bill shall again be subject to be debated and amended by clauses before a question to engross it be taken

The rules of proceeding in the house shall be observed in the committee of the Whole House so far as they may be applicable except the rule limiting the time of speaking but no member shall speak twice to any question until every member choosing to speak shall have spoken

All questions w[h]ether in committee or in the House shall be propounded in the order in which they were moved except that in filling up blanks the largest sum and longest time shall be first put

It shall be in order for the committee on Enrolled Bills to report at any time

No rule or order of the House shall be received altered or repealed unless two thirds of the members present shall consent thereto

On motion of Mr. McClure the report was laid upon the table and ordered to be printed

MESSAGE FROM THE SENATE

MR. SPEAKER, I have the honour to present the following Extract from the Journal of the Senate.

*Resolved* that a committee of two be appointed by the President to confer with a similar committee of the House of Representatives and to prepare joint rules for the Government of the Senate and House of Representatives Whereupon the President appointed Mess. Allen and Dailey

*Resolved* that a committee of two be appointed by the President who with a similar committee of the House shall wait on the Governor and inform him that the two houses are organized and ready to receive any message that he may have to communicate whereupon the President appointed Mess. Allen and Harding

signed A. ALLEN Secy.

On motion of Mr. Tuton

*Resolved* that the Chairman of the Executive Committee of Kansas Territory be respectfully invited to submit to the General Assembly a report of the doings of said Committee

On motion of Mr. Stephens

*Resolved* that the Sargeant at Arms be and is hereby instructed to provide for the use of the members of the House Two hundred copies of the *Dailey Tribune* provided that the proceedings of the General Assembly be published therein

Notice having been communicated to the House of the resignation of Loring Farnsworth as assistant Door Keeper on motion of Mr. Curtis that the resignation be received and that an Election be had to supply the vacancy which resulted as follows

A. W. Moore	had	20	votes
Mr. Cleveland	"	2	"
George Earl	"	4	"
Mr Scales	"	4	"
Mr. Haven	"	1	"

A. W. Moore having received a majority of all the votes given was declared duly elected who took the oath of office and entered upon the discharge of his duties

The committee appointed to wait upon the Governor reported that they had performed that duty and that his Excellency would be pleased to communicate with the House in a short time

Moved by Mr Tuton that a committee of two be appointed to act in conjunction with a committee of the Senate to prepare rules and regulations for the Government of both Branches of the General Assembly

Mr. Blood proposed to amend by inserting three instead of two, amendment accepted and the motion prevailed

The Speaker appointed Mess Blood and Dickey and Tuton as said committee

On motion of Mr. Tuton

*Resolved.* That the Executive Committee of Kansas Territory be invited to seats within the bar

MESSAGE FROM THE GOVERNOR

The Private Secretary of the Governor presented the Governor's message which on motion of Mr. McClure was read and 10,000 copies be printed for the use of the members of this House



*Fellow Citizens of the Senate and House of Representatives*

Having been chosen by the people to occupy the Executive Chair of the new State of Kansas it becomes my duty under the Constitution to announce to the General Assembly the condition of the affairs of the State and recommend such measures as I shall deem expedient for their action. While gratitude to the people for the confidence their suffrages evince and for the honor bestowed will induce me to enlist all my energies in their service inexperience in public life and a lack of ability and information will cause me to speak with diffidence upon the various subjects to which your attention will be invited.

The organization of a new government is always attended with more or less difficulty and should under the most favourable circumstances enlist the learning judgment and prudence of the wisest men in all its departments the most skillful workmanship is requisite that each part of the complicated machinery may be adapted to its fellow and that a harmonious whole without jar or blemish may be the result.

In Kansas especially is this a most delicate and difficult task. Our citizens are from every State in the Union and from nearly every country on the Globe and their institutions religion education habits and tastes are as various as their origin.

Also in our midst are several independent nations and on our borders both west and east are outside invaders.

In our mutual endeavours to set in motion a State Government we have a common Chart for our guide the Constitution.

The duties of the General Assembly as designated by this instrument are:

To provide for the encouragement of education and religion

The registration of Electors to provide for the returns of Elections

For the Election of officers

For the filling of vacancies

For the number of Senators and Representatives

For apportionment

Against Special Legislation

For publication of laws

For taking the census

For salaries of officers

For Surveyor General, State Geologist and Superintendent of Common Schools

For Judicial districts and jurisdiction of Courts

For publication of decisions of Supreme Court

For Duties of Clerk and Reporter of Supreme Court

For School Fund University Normal Schools &c

For State Asylums for Blind Deaf, Dumb Insane Idiots and the Poor

For House of Refuge for juvenile offenders

For State General Hospital

For Seat of Government and State House

For Militia

For Finance and Taxation

For Counties County City and Town officers

For Commissioners to arrange rules of practice in the courts of record

For Bureau of Statistics and encouragement of Agriculture

To Secure the Separate property and custody of children to wife

For Election of two United States Senators

For Banks and Banking

For redemption of certificates of indebtedness and for enforcement of 6th section of bill of rights

Also the people by a separate and direct vote have instructed the assembly to provide for the exclusion of free negroes

Education of the People the common people is the Palladium of our liberties. Without this free institutions cannot exist with it Tyranny and oppression must disappear. A thorough and efficient system of education is a better and cheaper corrective and preventive of poverty degradation and crime than the poor house, house of refuge or penitentiary. This subject will not fail to receive its full share of your attention.

That the common School may be put on a permanent basis the proceeds of the School lands or other educational income should be carefully husbanded till a fund shall accumulate amply sufficient to give to every child in the State a liberal common School education

Second only to the Common School are the University and Normal Schools

For these also the Constitution suggests that you provide at an early day

Of the public Charitable Institutions named in the Constitution a General State Hospital calls most urgently for consideration

In a new country many must necessarily suffer from sickness and poverty and in the present unsettled condition of the People it is eminently proper that the State should provide for their relief

The subject of finances and taxation is one of primary importance in Every State and particularly in a new one

Onerous taxes and large indebtedness should be guarded against as far as possible and economy without niggardly parsimony should be the rule of action For the present state of the finances you are referred to the report of the Territorial Executive Committee

Exposed as our citizens are to the Scalping knife of the Savage on the west, and to the revolver and hatchet of the assassin on the east a thorough and early organization of the militia is urgently called for

By the constitution this duty devolves upon the General Assembly. Measures should at once be taken to encourage the organization of volunteer companies and to procure the arms to which the State is entitled

The disposition of the public lands is a matter for consideration Under existing laws they belong to the General Government and are used as a source of revenue The policy of such a use is at least questionable The amount received into the Treasury from the sale of public lands is considerable amounting in the aggregate to about \$2,000,000 annually

This sum distributed among the States where the lands are situated would aid Essentially the cause of education or the establishment of Charitable institutions but it is entirely unnecessary in the already overflowing Treasury of the General Government Even as a matter of revenue the public Treasury gains nothing by selling the Public domain to the people for the principle revenue is derived from the products of the soil and these will be increased as the number of land holders increase and in proportion to the capital invested in its cultivation The \$1.25 pr acre laid out on the land will produce far more revenue to the Government in a few years than if deposited in the Treasury The true policy for any government is to give to every citizen who will cultivate it a farm without price and secure it to him for a permanent homestead Especially should the citizen who deprives himself of the blessings of home and civilization for a time to reclaim the wilderness that it may be added to the commonwealth be allowed his land gratis

But if the land must be sold and the proceeds applied to defray Expenses of government the State should be the recipient and not the General Government Every new state must incur extraordinary expenses in setting its government in motion

It has its public Edifices State House Asylums Penitentiary Universities School Houses, Railroads &c to construct and limited means at command Should Congress in its wisdom as we have reason to believe that it will—donate all the public lands of Kansas to the State it will then be the duty of the assembly to dispose of them

In such an event by donating 160 acres as a homestead to each resident of five years and allowing no one person to purchase of the State more than 160 acres additional the state would become rapidly settled and at the same time secure a fund for Educational and other purposes Equal to its necessities

The indiscriminate sale of intoxicating drinks in a State like Kansas where are numerous Indian tribes is productive of much mischief

Some tribes within our borders are still uncivilized and indulge their appetites without restraint while many of other tribes are Equally unfortunate It is a duty we owe to the Indian that we not only cultivate

the most friendly intercourse but that we protect him from injury and this subject should not be overlooked by the General Assembly

The use of intoxicating drinks as a beverage impairs the health, morals, good order, and prosperity of any community and the traffic in them is an unmitigated evil and it is for the Legislature in its wisdom to adopt such measures as shall best secure the public welfare

It will be remembered that a skeleton of a government still exists in our midst under a Territorial form and although this was but the foreshadowing of a new and better covenant collision with it should be carefully guarded against A Territorial government is transient in its nature only awaiting the action of the People to form a government of their own This action has been taken by the People of Kansas and it only remains for the General Government to suspend its Territorial appropriations recal its officers and admit Kansas into the Union as a Sovereign State

The reasons why the Territorial governments should be suspended and Kansas admitted into the union as a State are various In the first place it is not a government of the people The Executive and judicial officers are imposed upon the people by a distant power and the officers thus imposed are foreign to our soil and are accountable not to the people but to an Executive 2,000 miles distant American citizens have for a long time been accustomed to govern themselves and to have a voice in the choice of their officers but in a territorial government they not only have no voice in choosing some of their officers but are deprived of a vote for the officer who appoints them Again governments are instituted for the good and protection of the governed, but Territorial government of Kansas has been and is an instrument of oppression and tyranny unequalled in the history of our Republic The only officers that attempted to administer the laws impartially have been removed and persons substituted who have aided in our subjugation. Such has been the conduct of the officers and the people of a neighboring state either intentionally or otherwise that Kansas today is without a single law enacted by the people of the Territory Not a man in the country will attempt to deny that Every election held under the Territorial government was carried by armed invaders from an adjoining State for the purpose of enacting laws in opposition to the Known wishes of the People

The Territorial government should be withdrawn because it is inoperative The officers of the law permit all manner of outrages and crime to be perpetrated by the invaders and their friends with impunity while the citizens proper are naturally law abiding and order loving disposed rather to suffer than do wrong Several of the most aggravated murders on record have been committed but so long as the murderers are on the side of the oppressors no notice is taken of them Not one of the whole number has been brought to justice and not one will be by the Territorial officers While the marauders are thus in open violation of all law nine tenths of the people scorn to recognize as law the Enactments of a foreign body of men, and would sooner lose their right arm than bring an action into one of their misnamed Courts

Americans can suffer death but not dishonor and sooner than the people will consent to recognize the edicts of lawless invaders as laws their blood will mingle with the waters of the Kansas and this Union be rolled together in civil strife Not only is the Territorial government the instrument of oppression and subjugation of the People but under it there is no hope of relief The organic act permits the Legislature to prescribe the qualifications of voters and the so called Legislature has provided that no man shall vote in any Election who will not bow the knee to the dark image of Slavery and appointed officers for the term of four years to see that this provision is carried out Thus nine tenths of the citizens are disfranchised and debarred from acting under the Territorial government if they would

Even if allowed to vote the Chief Executive of the country says he has no power to protect the ballot box from invaders and if the people organize to protect themselves his appointees intimate that they must be disarmed and put down hence whether allowed to vote or not, there is no opportunity for the people of the Territory to rule under the present Territorial government Indeed the laws are so made and construed that the citizens



of a neighboring state are legal voters in Kansas and of course no United States force can be brought against them

They are by law entitled to invade us and control our Elections

According to the organic act the People have have a right to elect a Legislature and that Legislature has a right to make laws, establish courts, and do every thing but choose their executive and Supreme Judicial officers If they have the right to do the one they undoubtedly should have to do the other The principle of "Squatter Sovereignty" upon which this act is said to be based knows no distinction between the power to legislate and the power to adjudicate or execute If the right of one department of the Government is inherent in the People so is the other On this subject there is high authority General Cass in the Senate said "The Government of the United States is one of limited authority vested with no powers not expressly granted or not necessary to the proper execution of such as are"

"There is no provision in the Constitution granting any powers of legislation over the Territory or other property of the United States Except such as relates to its regulation and disposition Political jurisdiction is entirely withheld nor is there any just implication which can supply this defect of original authority"

Again he says "I shall vote for the entire interdiction of all Federal action over this general question (Slavery) under any circumstances that may occur" But the Executive and the Judiciary of Kansas are creatures of the Federal Government and under its control and the Governor has a negative legislative power equal to two thirds of both branches of the Legislature leaving to the people only one third of one of the three departments of government and to the General Government all of two departments and two thirds of the other

Also he says "Leave to the people who will be affected by this question (Slavery) to adjust it upon their own responsibility and in their own manner and we shall render another tribute to the original principles of our government, and furnish another guaranty for its permanency and prosperity"

But how can this or any other question be adjusted by the people while ruled by a foreign Executive and judiciary?

Mr. Douglass says "I have always held the people have a right to settle their questions as they choose not only when they come into the union as a state but that they should be permitted to do so while a Territory" If the people have this right then the Federal Government has no right to interfere with it, and the people of Kansas have a right to demand that the present Territorial Government of Kansas be withdrawn and that they be allowed to choose all their officers

Mr. Henn of Iowa in Congress said "I would that Congress would recognize the doctrine of 'Squatter Sovereignty' in its length and breadth that the citizen wherever he may settle if on American soil shall have all the rights and privileges of citizenship and be consulted by Executives as well as representatives this would be right this would be simple justice It is a doctrine that was broadly asserted and with firmness maintained by the Father of our Republic"

In the Organic act of the Territory Sec. 14, is the following "It being the true intent and meaning of this act not to legislate Slavery into any Territory or State nor to exclude it therefrom but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States" But how can this intent be carried out with an Executive and Judiciary and two thirds of Legislature in opposition to the will of the people and with an overwhelming invasion at every Election by permission of these officers

In the President's annual message to Congress for the current year he says

"In the Counsels of Congress there was manifested extreme antagonism of opinion and action between some representatives who sought by the abusive and unconstitutional Employment of the Legislative powers of the Government to interfere in the condition of inchoate states, and to impose their own social theories upon the latter and other representatives who re-

pelled the interposition of the General Government in this respect and maintained the self constituted rights of the States. In truth the thing attempted was in form alone action of the General Government while in reality it was the endeavor by abuse of legislative power to force the ideas of internal policy entertained in particular States upon allied independent States. Once more the Constitution and the Union triumphed signally. The new Territories were organized without restrictions on the disputed points and were thus left to judge in that particular for themselves."

If it would have been "abuse of Legislative power" for Congress to "force the ideas of internal policy entertained by particular States upon Kansas, by what reason does he justify the Executive in the exercise of that power? That the officials of his appointment are today endeavoring to do this very thing against the sentiment of a large majority of the people cannot admit of a doubt.

Again he says "The measure of its repeal (Missouri Compromise) was the final consummation and complete recognition of the principle that no portion of the United States shall undertake through assumption of the powers of the General Government to dictate the social institutions of any other portion."

The people of Kansas have reason to feel that the "complete recognition" of the principle unless carried into practice is of no avail to them and that the recognition of this principle by Congress while the opposite is acted upon by the executive would be simple mockery.

Once more "If the friends of the Constitution are to have another struggle its enemies could not present a more acceptable issue than that of a State whose Constitution clearly embraces a republican form of government being Excluded from the union because its domestic institutions may not in all respects comport with the ideas of what is wise and Expedient entertained in some other state. If a new State formed from the Territory of the United States be absolutely Excluded from admission therein that fact of itself constitutes the disruption of union between it and the other states. But the process of dissolution could not stop there. Would not a sectional decision producing such a result by a majority of votes. Either northern or southern of necessity drive out the oppressed and aggrieved minority and place in presence of each other two irreconcilably hostile federations?"

Thus it will be seen by the highest Democratic authority in the country that the people of Kansas have a right to demand the removal of the present oppressive Territorial government and also that they be admitted into the Union as an equal independent State.

Knowing that one great party in Congress with the President at its head was in principle committed to our defence and believing that many from the other parties would if not from principle as an act of justice be induced to look upon us with favor we had a right to anticipate a speedy termination of our present thralldom.

However owing to an apparent misunderstanding of the Constitutional movement in Kansas the President intimates in a special message that Congress must interfere and undo what with great care and expense they have so well done.

This message as it refers exclusively to Kansas should receive some attention from the General Assembly. Kansas men—"Squatter Sovereignty" men—cannot fail to be somewhat surprised at its purport. It is somewhat belligerent in its tone threatening to bring against the people of Kansas the army and navy of the United States and should this force be inadequate to the task the militia of the several states is to be brought into requisition to compel the people to submit to what they do not recognize as laws and to laws according to his own showing the people of Missouri with the aid of the Executive which he appointed, enacted. But it is to be hoped that by the time his forces are raised and marched into the Territory he will find like his Excellency Governor Shannon that the people are not so deserving of annihilation as he had supposed.

The President gives the details of the invasions of Kansas and the Governor's connection therewith and does not deny that the so called Territorial Legislature was Elected by the People of Missouri but because the Governor



his appointee Chose to grant certificates of Election to a majority of persons Elected by the people of a neighboring state therefore the laws of that body are binding upon the people. To strengthen his argument he might have accused the Governor of still further complicity with the invaders and have said that although this territory is hundreds of miles in Extent and the people were politically unorganized yet he gave them but four days in which to contest the Election and would not Extend the time one hour for it is said that a protest arrived at one o'clock on the morning of the fifth day which had it been regarded would have changed five seats in the Legislature but it was too late by one hour and could not be received

The argument of the President may be good against any objection to the acts of the Legislature on his part as in the first place he refused to protect the ballot box from fraud and in the second place so far as lay in his power his appointee legalized it but is it good against the people

The organic act provides for a legislature to be elected from and by the voters, and a voter is to be "an actual resident of said Territory" and if any other set of men Either with or without the sanction of the Executive claim to be the Legislature, are the people bound to regard them as such? Also this act says "it is the true intent and meaning of this act to leave the people of the Territory perfectly free to form and regulate their domestic institutions in their own way subject only to the Constitution of the United States" *not* subject to the People of Missouri or the Executive or both of them together How can true intent of the law be carried out by a Legislature Elected as was that on the 30th of March last? Yet that Legislature Elected from and by the People of a neighboring state have assumed to pass laws for the People of Kansas and also to "legislate Slavery into the Territory" which Congress itself professed not to have the right to do and these are the so called laws that the President says must be Enforced Even though it require all the army and navy of the United States and the militia of the several states undoubtedly one half of this force will be all sufficient to Enable him to Enforce any process or to chop shoot and hang all the inhabitants but all the armies and navies in the world could not make the people believe he had a right to do it or that the enactments of that Border legislature were binding upon the People of Kansas

If "Squatter Sovereignty means simply that Congress has no right to interfere with the affairs of a Territory but that the Executive and the People of another state have, then most certainly that doctrine will be very unpopular in Kansas

Other reasons might be given to show that no legal legislature had ever passed laws in Kansas besides the above or the removal of the sittings from Pawnee to the Shawnee Mission which is on the Shawnee reserve as it is understood and can consequently "constitute no part of the territory of Kansas" The organic act provides that "the persons having the highest number of legal votes in each district for members of council (or House of Representatives) shall be declared by the Governor to be duly Elected" From his decision there is no appeal according to the act, yet nine persons declared to be duly Elected by the Governor were Ejected by the Legislature and others admitted But one person it is believed was duly Elected by the legal voters of the Territory and he resigned his seat regarding the whole body illegal His seat was filled without an Election and by the Legislature, hence probably not one of the body could have received the suffrages of the legal voters in the districts they pretended to represent

It is the Enactments of such a body of men that the army navy and militia of the country are to Enforce upon a people who were told they should be "free to form and regulate their domestic institutions in their own way" A body of men elected by a neighboring state who did not sit at the seat of government as required who *did* sit at the Shawnee Mission understood to form no part of the Territory of Kansas who turned out nine of its legally Elected members and received in their stead nine persons not legally Elected, who filled a vacancy by appointment and not by Election of the voters of the district &c to say nothing of the Draconian character of the Enactments

The President says: "the constitutional means of relieving the People

of unjust administration and laws by a change of Public agents and by repeal are ample"

This is usually the case and ought always to be so but the case of Kansas is an exception. The administration of Kansas has its head at Washington and we do not have so much as a vote in favor of its continuance or removal while the repeal of any laws under present arrangement by the People is out of the question as the Legislature has disfranchised a large majority of them. No man in favor of a change or repeal of certain laws can vote under our new order of things and consequently no peaceable way of establishing a government of the people is left but to form a State constitution and ask for admission into the Union. This has been done but the President objects to our constitution and calls the movement for a State government revolutionary and intimates that the forces of the Union must if necessary be brought against it although he admits that it was not revolutionary for other territories to do precisely what we have done as "California Michigan and others". His reason is that the Constitution of Kansas was formed by a party and not by the whole People. What are the facts? A bill calling for a convention for the formation of a State constitution is said to have passed through one house of the mission Legislature and was defeated in the other only because they feared the result would be a free state.

In July and August a paper was circulated for the signatures of all such persons as were desirous of forming a State government and between one and two thousand persons signed it. August 15th A general mass meeting of citizens irrespective of party was held at Lawrence pursuant to a published call signed "Many Citizens" to "take into consideration the propriety of calling a Territorial delegate convention preliminary to the formation of a State government and other subjects of public interest". At this meeting all parties participated and the following preamble and resolution were adopted with but one dissenting voice and that was an acknowledged disunion abolitionist the only one of that party at the meeting.

"WHEREAS the People of Kansas Territory have been since its settlement and are now without any lawmaking power therefore be it Resolved. That we, the People of Kansas Territory in mass meeting assembled irrespective of party distinctions influenced by a common necessity and greatly desirous of promoting the common good do hereby call upon and request all bona fide citizens of Kansas Territory of whatever political views or predilections to consult together in their respective Election districts and in mass convention or otherwise Elect three delegates for each Representative to which said district is Entitled in the House of Representatives of the Legislative Assembly by proclamation of Gov. Reeder of date 10th March 1855. Said Delegates to assemble in convention at the Town of Topeka on the 19th day of September 1855 then and there to consider and determine upon all subjects of public interests and particularly upon that having reference to the speedy formation of a State constitution with an intention of an immediate application to be admitted as a State into the Union of the United States of America"

This was the first public action taken by the people in their sovereign capacity upon this subject and all parties and sects participated. The next action was at a party convention held at Big Springs on the 5th and 6th of September. A committee on State organization was appointed and made the following report.

"Your committee after considering the propriety of taking preliminary steps to framing a constitution and applying for admission as a State into the Union beg leave to report that under the present circumstances they deem the movement untimely and inexpedient"

The following was offered as a substitute for the report:—

"Resolved That this convention in view of its recent repudiation of the acts of the so-called Kansas Legislative Assembly respond most heartily to the call made by the People's convention of the 15th ult. for a Delegate convention of the People of Kansas Territory to be held at Topeka on the 19th instant to consider the propriety of the formation of a State Constitution and such other matters as may legitimately come before it"

This substitute was agreed to

Thus it appears that this party convention simply approved of the Citizens convention at Lawrence and let the matter rest. A Delegate convention irrespective of party was held at Topeka September 19th agreeably to the call of the mass convention of the 15th of August and the following preamble and resolution were unanimously adopted

"WHEREAS the Constitution of the United States guarantees to the People of this Republic the right of assembling together in a peaceable manner for their common good to "establish justice insure domestic tranquillity provide for the common defense promote the general welfare and secure the blessings of liberty to themselves and their posterity" and whereas the citizens of Kansas Territory were prevented from electing members of a legislative assembly in pursuance of a proclamation of Gov. Reeder on the 30th March last by invading forces from foreign States coming into the Territory and forcing upon the People a Legislature of non-residents and others inimical to the interests of the People of Kansas Territory defeating the object of the organic act in consequence of which the Territorial government became a perfect failure and the people were left without any legal government until their patience has become exhausted and 'Endurance Ceases to be a virtue' and they are compelled to resort to the only remedy left that of forming a government for themselves

Therefore, *Resolved* by the People of Kansas Territory in Delegate Convention assembled That an Election shall be held in the several Election precincts of this Territory on the second Tuesday of October next under the regulations and restrictions hereinafter imposed for members of a convention to form a constitution adopt a bill of rights for the people of Kansas and take all needful measures for organizing a State government preparatory to the admission of Kansas into the Union as a State"

At this Convention a Territorial Executive Committee was appointed and that Committee in accordance with the instructions of the convention issued a proclamation commencing as follows

"To the legal voters of Kansas:—

WHEREAS the Territorial government as now constituted for Kansas has proved a failure—"Squatter Sovereignty" under its workings a miserable delusion in proof which it is only necessary to refer to our past history and our present deplorable condition—our ballot boxes have been taken possession of by bands of armed men from foreign States—our people forcibly driven therefrom—persons attempted to be foisted upon us as members of a so called Legislature unacquainted with our wants and hostile to our best interests—some of them never residents of our territory—misnamed laws passed and now attempted to be enforced by the aid of citizens of foreign States of the most oppressive tyrannical and insulting character—the right of suffrage taken from us—debarred from the privilege of a voice in the Election of even the most insignificant officers—the right of free speech stifled—the muzzling of the press attempted, and whereas longer forbearance with such oppression and tyranny has ceased to be a virtue and whereas the people of this country have heretofore Exercised the right of changing their form of government when it became oppressive and have at all times conceded this right to all the people in this and all other governments and whereas a Territorial form of government is unknown to the constitution and is the mere creature of necessity awaiting the action of the people and whereas the debasing character of the slavery which now involves us impels us to action and leaves us as the only legal and peaceful alternative the immediate establishment of a State government and whereas the organic act fails in pointing out the course to be adopted in an emergency like ours Therefore you are requested to meet at your several precincts in said Territory hereinafter mentioned on the 2d Tuesday of October next it being the ninth day of said month and then and there cast your ballots for members of a convention to meet at Topeka on the 4th Tuesday in October next to form a constitution adopt a Bill of Rights for the people of Kansas and take all needful measures for organizing a State government preparatory to the admission of Kansas into the Union as a State"



On the 4th Tuesday of October the Constitutional convention assembled at Topeka and drafted a Constitution which was submitted to the People on the 15th of December and by them approved by a very large majority—men of all parties voting

Such in brief is the history of the Constitutional movement in Kansas and if this is a "party" movement it is difficult to see in what way a constitution can be framed and adopted not open to this charge. If the People or any portion of them failed to participate it was their own fault and not the fault of those who were active Democrats Hards and Softs Whigs Hunkers and Liberals Republicans pro and anti-slavery men of all shades participated in the formation of a State Government and if it be a party movement at all it certainly cannot be a movement of one party alone. In a republican government the majority has no power to compel the minority to vote on any question neither has the minority a right to object to the action of the majority because they did not choose to act with them.

The President says "no principle of public law no practice or precedent under the Constitution of the United States no rule of reason right or common sense confers any such powers as that now claimed by a mere party in the territory. In fact what has been done is of revolutionary character. It will become treasonable insurrection if it reach the length of organized resistance by force to the fundamental or any other federal law and to the authority of the general government."

No principle of Public law? What is the principle of "Squatter Sovereignty" then? No precedent? What did Michigan California and other new States do? No rule of reason right or common sense? Is "popular Sovereignty unreasonable unjust and nonsensical? Suppose the *party* comprise an overwhelming majority of the people what then?

James Christian Esq. a very honourable and highminded proslavery gentleman writes to a friend in Kentucky as follows "I believe I informed you before that I have been appointed Clerk of this (Douglass) County under the Territorial Legislature but we are in such a horrid state of confusion in regard to the laws that it dont pay anything. The free soilers are in a large majority in the Territory and they are determined to pay no regard to the laws consequently they will not sue nor have any recording done so my office in only in name. It is the same all over the territory."

According to the President this "large majority" can have no rights because they happen to think alike on a certain subject or belong to the same "party." It was formerly of principle of democracy that the majority especially "large majorities" should rule but times must have changed.

If this "large majority" persist in setting in motion a state government it will be "treasonable." It was not so however in "Michigan California and other States." But the people of Kansas do not propose to reach the point of organized resistance by force to the fundamental or any other federal law and to the authority of the General Government" *unless* our state whose constitution clearly embraces a "Republican form of Government is Excluded from the Union because its domestic institutions may not in all respects comport with the ideas of what is wise and Expedient Entertained in some other state." If our *State* "be absolutely excluded from admission therein that fact of itself (*may*) constitutes the disruption of union between it and the other States but the process of dissolution could not stop there" and we should have the chief Executive on our side in such an Event. But no [such] result is to be anticipated. When the President fully understands our case he can do no less than withdraw his recommendations for an Enabling act to form another constitution and Congress will admit us without delay.

Also we have confidence that no attempt will be made by the federal authorities to Enforce the Enactments of a Foreign Legislature upon the people of Kansas. Mr. Christian the proslavery clerk of Douglass County says the people of Missouri came into the territory on the 30th of March last "bearing with them their peculiar institutions—bowie knives pistols and whiskey—to the amount of five or six thousand carried the Election by storm and elected every proslavery candidate that was in the field by overwhelming majorities thus securing every member of the council and

House of Representatives in some instances driving from their seats the judges appointed by the Governor and placing judges from their own number in their stead who paid no regard to the instructions of the Executive &c

It cannot be that the President after permitting the People of another State to take from the legal voters their constitutional and organic rights will add to the outrage by compelling the People of Kansas to submit to their authority and obey their enactments

It is bad enough to be deprived of the right to make laws for ourselves but it is worse to be compelled to submit to the laws of those who deprive us of that right Although there has been and there will be no *organized* resistance to the Enactments of the self styled Territorial Legislature yet nine men out of every ten spurn it with contempt as a gross outrage upon American citizens and it is highly proper for the General Assembly to memorialize Congress upon this subject as well as with reference to the admission of the State into the Union

The President apologizes for the frequent invasions of Kansas on the ground that some northern people talked about the repeal of the Missouri Compromise and subjects connected with the Extension of negro bondage and because an Emigrant Aid Association had been formed

The people of this country have been in the habit of talking about the affairs of Government ever since the May Flower discharged her cargo on Plymouth Rock but this is the first time that it has been considered an apology for an invasion of a distant State or territory If the People of Kansas were accountable for the loquacity of the north or the silence of the south the case might be different Emigrant Aid Associations are nothing new in the United States When California was first opened to settlement the same kind of Associations was formed with only this difference—in one case each party had an agent of its own for the purpose of procuring tickets arranging details &c while in the other all the parties have a common agent There is however connected with the aid society for Kansas Emigrants a Stock company for the purpose of erecting mills hotels &c in the new country but the agents of this society will purchase tickets for a slaveholder as soon as for a free state man and the investments are for the benefit of all settlers alike No questions are asked and no distinctions made Had the President visited western Missouri before any aid society had been formed at the east he might have found a secret oath bound association pledged to make of Kansas a Slave state peaceably if they could forcibly if they must This Society has been in active operation since its inception and now threaten to deluge Kansas with the blood of American citizens for the *crime* of preferring a free to a Slave state Also it is only necessary to read a few southern journals to see accounts in different parts of the South not of Emigrant Aid Societies but of Emigrant buying or hiring Societies which do not simply procure tickets for the Emigrant at cost irrespective of party or condition but which pay the fare and expenses of the *right* kind of Emigrants and support them in Kansas one year more or less However it may be the "King can do no wrong" although it may be wrong for common people to do as the King does

The people of Kansas will not object to Aid Societies whether north or south so long as they treat all parties alike Immigrants from all parts of the country are received with a hearty welcome and the investment of capital whether eastern or western northern or southern is greatly needed The settlers of Kansas have suffered some losses and injury from repeated invasions from a neighbouring state and it is highly proper that congress be memorialized upon this subject especially should the general government repair the injury it has inflicted All the invasions have been permitted by the officers of the government without any opposition while at least one was invited by them It is the duty of the federal government to protect infant territories in their rights but Kansas has not only not been protected but it has been actually oppressed by those whose duty it was to defend it

It is unjust to any community to send among them officers with government patronage whose political sentiments are opposed to the sentiments of the people particularly when those officers mount the stump and shoulder the rifle for the purpose of crushing out all who differ from them Some of



the federal officers of Kansas are charged with undignified conduct and one of them at least with high crimes and it is the duty of the Legislature to memorialize the President that our citizens may be protected in their lives and inalienable rights and from unwarrantable interference of officials in the management of their internal affairs. It is manifestly improper for the federal officers to *dictate* into or out of Kansas an institution over which Congress professed to have no authority.

It is understood that the deputy marshal has private instructions to arrest the members of the Legislature and the state officers for treason as soon as this address is received by you. In such an event of course no resistance will be offered to the officer. Men who are ready to defend their own and their country's honour with their lives can never object to a legal investigation into their actions nor to suffer any punishment their conduct may merit.

We should be unworthy of the constituency we represent did we shrink even from martyrdom on the scaffold or at the stake should duty require it. Should the blood of Collins and Dow of Barber and Brown be insufficient to quench the thirst of the President and his accomplices in the hollow mockery of "Squatter Sovereignty" they are practicing upon the people of Kansas then more victims must be furnished. But let what will come not a finger should be raised against the federal authorities until there shall be no hope of relief but in revolution. The task imposed upon us is a difficult one but with mutual cooperation and a firm reliance upon His wisdom who makes the "wrath of man praise him" we may hope to inaugurate a government that shall not be unworthy of the country and age in which we live.

TOPEKA March 4th 1856

signed C. ROBINSON

Mr — moved the House now adjourn motion lost

On motion of Mr. Dickey *Resolved* that 800 additional copies of the *Daily Tribune* be furnished for the use of the members. Mr. Blood moved to amend by inserting 300 instead of 800. Mr. Tuton moved further to amend by substituting 50 instead of 300. The question being on the amendment to the amendment the motion was lost. The amendment proposed by Mr. Blood prevailed and the motion as amended was carried.

Mr. Tuton offered the following preamble and resolution

WHEREAS the Constitution of our state is yet in the hands of the Executive Committee and whereas we deem it highly important that it should at once be placed in the hands of both the Senate and the House of Representatives now assembled at Washington City in order to ask an immediate admission into this Union, as one of the States of this Confederacy therefore *Resolved* The Secretary of the Executive Committee be required to place the original copy in the hands of the Executive Department to be forwarded by them to Washington immediately—

during the pendency of which motion the house adjourned until 2 o'clock P. M.

J. K. GOODIN *Ch'f Clk H. Rep.*

2. O'clock P. M.

The House met pursuant to adjournment. A call of the House was had when 32 members responded to their names.

The resolution of Mr. Tuton being the first business in order—on motion of Mr. Mewhinney it was laid upon the table.

A memorial from J. Beyer Esq contesting the seat of Adam Fisher was presented and on motion of Mr. Tuton was accepted and a committee of five was appointed to inquire into the facts relating to the contest together with the claims of the contestant and report the same to the House said committee having power granted them to call for persons and papers. The

chair appointed Mess Zimmerman McClure Dickey Curtiss and Mewhinney the committee

On motion the vote to lay upon the table and order to be printed the report of the committee on rules and regulations was reconsidered

The report of the committee on rules and regulations for the government of the House which was laid on the table and ordered to be printed on motion of Mr. Tuton was taken up when the report was read by sections and adopted with a single amendment

Mr. Crosby moved that 200 copies of the report be printed for the use of the House motion lost

Mr. Addis moved that 100 copies of the report be printed for the use of the House motion carried

Mr. Dickey on leave presented the following memorial

*Gentlemen of the House of Representatives* Will it comport with your arrangements to grant us the use of your hall this (Wednesday) evening for a temperance meeting at the request of

MANY CITIZENS

On motion of Mr. Addis the request was granted

On motion of Mr. Sparks

*Resolved* That the members of this House have heard with deep concern of the butchery of the Hon. R. P. Brown a member elect of this body

*Resolved* that we sympathise with the relatives of the deceased in their great bereavement

*Resolved* that a copy of the resolutions be transmitted to the widow and relatives of the deceased

Resolutions adopted Mr Dickey of Topeka then presented the following resolution which was adopted

WHEREAS it has pleased Almighty God in the wise dispensation of his Providence to remove from among us Major M. M. Robinson member elect of this House from the 3d district

*Therefore Resolved* That we learn with deep regret of the death of Major Robinson and that we earnestly sympathize with the citizens of the 3d district particularly and of the State generally in the decease of this member of their choice

*Resolved* that we hereby tender to the family and friends of the deceased our unfeigned condolence in this their sad bereavement

*Resolved* that as further testimony of respect to the memory of Brown and Robinson this House do now adjourn until tomo.row morning at 10 o'clock

*Resolved* that a copy of these resolutions be forwarded to the family and friends of the deceased

The House then adjourned until Thursday 10 o'clock A. m.

J. K. GOODIN *Ch'f Cl'k H. Rep.*

HOUSE OF REPRESENTATIVES

10 o'clock March 6, 1856

House met pursuant to adjournment and was called to order the Speaker in the Chair

Prayer by the Chaplain

Roll called—thirty nine members answered to their names

Mess. John Hutchinson of the *first* district and Abraham Barry of the *Seventh* Senatorial districts appeared took the oath of office and entered upon the discharge of their duties

Journal of yesterday read amended and approved

On motion of Mr. Walker the vote upon the passage of the resolutions relative to the decease of Hon R. P. Brown was reconsidered

On motion of Mr. Brown a committee of three were appointed to draft Resolutions expressive of the sense of this body on the death of Hon R. P. Brown The Chair appointed Mess Hutchinson Brown and Dickey and upon the motion of Mr. Hornsby the resolutions were referred to the special committee

Mr. Walker offered the following Resolution and Preamble

WHEREAS Thomas Barber one of our most excellent and unoffending citizens has been most brutally murdered in cold blood and whereas the murderer is believed *on good evidence* to be an accredited agent and appointee of the President of the United States is as yet unapprehended by the Territorial authorities and is retained in office under the General Government

*Therefore Resolved* that we tender to the widow and friends of our murdered fellow citizen our sincere sympathy

*Resolved* that the President by continuing in office the murderer of the lamented Barber is tacitly endorsing the criminal and the blood of our brother and friend cries from the ground against all such

On motion of Mr. Abbott the resolutions were referred to the select committee appointed on the resolutions relative to the decease of Hon. R. P. Brown

On motion of Mr. Addis an addition of two persons was made to the committee The Chair appointed Mess Walker and Tuton

On motion of Mr. Hutchinson

*Resolved* that a committee of three from the House be appointed to act in conjunction with a similar committee from the Senate to draw up and report to this House a memorial to Congress containing the grievances of the People of Kansas and an application for the immediate admission of Kansas as a Sovereign State

The Speaker announced the following standing committees

Ways and Means Mess Dickey Cody Bayliss Addis & Crosby  
Claims Mess Jameison Hornsby Platt Mewhinney & Shores  
Judiciary Mess Hutchinson Barry Curtiss Frost and McClure  
Agriculture and Manufactures Mess. Tuton, Sparks Reese Williams and Pattie

Apportionment Mess Toothman Arthur Wade Hartwell & Hornby  
Corporations and banking Mess Blood Cannon Landis Staniford & Zimmerman

Elections Mess Zimmerman Purdam Saunders Simmerwell and Abbott  
Public Institutions Todd Tabor Mewhinney Hicks and Marshall  
Vic and Immorality Mess Brown Landers Jones McGhee and Wetson  
Finanace and Taxation Mess McClure Bowen Brock Stephens and Walker

Accounts Mess Curtiss Adams Barnett Orr and Cody  
Printing Mess Frost Reese Wetson Stephens and Hornsby  
State Lands Mess Addis Blood Campbell Ferby and Jameson  
New Counties and County Lines Mess Hicks Orr Wade Purdam and Mewhinney

Public Roads Mess Jameson Baldwin McGhee Hartwell and Fisher  
Militia Mess Saunders Dickey Abbott Walker and Sparks

Internal Improvements Mess Edsall Martin Weston Zimmerman & Hornsby

Education Hornsby Hartwell Higgins Frost and Crosby

On motion of Mr. Crosby the following Resolution was offered.

*Resolved* That 500 copies in pamphlet form of the Declaration of Independence—the Constitution of the United States The Constitution of Kansas—The Governors messages and the Joint rules of the Senate and House of Representatives and the rules of each

Resolution was referred to the Committee on Printing Mr. Addis moved to strike out the words "Governor's messages" Mr. Stephens moved to lay the resolution upon the table motion lost.

Mr. Hornsby moved a reference of the resolution to the committee on Printing which motion prevailed The committee on contested seats reported progress and asked leave to sit again Leave was granted

Mr. Hutchinson offered the following resolution

*Resolved* That all laws passed by this house shall take effect immediately upon the admission of Kansas into the Union as a "Sovereign State" and no act shall become a law until such time unless where a special act of the House and Senate at a subsequent session of the Legislature makes it a law.

On motion the resolution was laid upon the table

A special message from the Governor was announced by his Private Secretary

#### SPECIAL MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE March 6, 1856

*To the Senate and House of Representatives of the State of Kansas*

GENTLEMEN As there appears to be a difference of opinion in regard to right of lawmaking by the General Assembly and also in regard to the construction to be put upon my communication upon this subject to your honourable bodies on the 4th inst it is proper for me to State that the message of the 4th was intended to recommend no course to be taken in opposition to the General Government or to the Territorial Government while it shall remain with the sanction of Congress Collision with either is to be avoided

That the People of a Territory have a right to peaceably assemble and memorialize congress or the President and to adopt a constitution and organize a State Government and appoint such official agents and such other acts as are indispensable to the action of a State Especially to its action as a member of the Union prior to its admission there is no doubt provided the proceedings are in strict subordination to the existing Federal Government and in subserviency to the Powers of Congress To this extent a people may go in conformity to law and for this there can be no penalty

(signed) C. ROBINSON

On motion of Mr. Hutchinson the message was laid upon the table and it was moved that 5,000 copies of the same be printed

Mr. Curtiss offered the following amendment that 5,000 be stricken out and 1,000 inserted in its place Amendment was adopted

The resolution as amended was adopted

Mr. Orr moved a reconsideration of the vote laying the resolution of Mr. Hutchinson upon the Table Mr. Zimmerman raised a point of order "That the mover for reconsideration was not competent to make the motion on account of his former vote upon the passage of the resolution"

The Chair decided the point of order well taken

Mr. Addis moved a reconsideration of the vote taken upon the resolution



during the pendency of which a motion for a recess until 2 o'clock P. M. was made and decided by the Chair to be lost A division being called for a rising vote was taken and the motion was carried

The House than took a recess.

2 o'clock P. M.

House met Speaker in the chair

Roll called a quorum answered to their names. The motion of Mr. Addis to reconsider the vote upon Mr. Hutchinson's resolution being the first business in order it was reconsidered.

The Committee appointed to memorialize Congress was announced by the chair Mess Hutchinson Brown & Blood

On motion of Mr. McClure the following resolution was offered

*Resolved* by the Senate and House of Representatives of the State of Kansas that the Laws enacted by the present Legislature shall not have effect until an act be passed by the present or some future Legislature declaring them valid

Mr. Williams proposed to amend by striking out valid and inserting "in force" carried

Mr. Blood proposed to add the words "except by special provision" which amendment was carried

The rules for 2d and 3d readings being suspended, the resolution as amended then passed by the following vote

Yeas, Mess. Abbott Blood Bowen Barry Curtiss Crosby Edsaul Hartwell Hutchinson Hornsby Hicks Jameson Mewhinney McClure McGhee Purdam Saunders Simmerwell Shores Stephens Sparks Tabor Toothman Todd Williams Zimmerman Yeas 26

Nays Mr. Brown 1.

Resolution offered by Mr. Curtiss

*Resolved* That the Executive Committee of Kansas Territory be and is hereby instructed to issue certificates of indebtedness in the usual form to pay the expenses of the General Assembly including the mileage and per diem of members Clerks and other officers as also one quarter's salary to the State officers when those salaries shall be fixed by law

Mr. Blood moved to lay the resolution upon the table-motion *Lost* On motion of the same gentleman the consideration of the resolution was postponed until Monday next

On motion of Mr. Tuton addition of two was made to the committee on memorials The chair appointed Mess McClure and Curtiss The Clerk upon motion of Mr. Hartwell was instructed to communicate to the Senate the joint resolution on memorials requesting their concurrence therewith

On motion of Mr. McClure the Clerk was also instructed to inform the Senate of the passage of the joint resolution relative to the enforcement of the Laws asking their concurrence therein

Mr. Tuton made a motion that a committee of 3 be appointed to confer with a similar committee from the Senate to prepare a memorial to the Senate of the United States motion lost

Mr. Tuton moved that a committee of 5 be appointed to act in conjunction with a similar committee of the Senate to draft a memorial to the President of the United States setting forth our position and all the facts connected



therewith—chair appointed Mess Tuton Hutchinson Toothman Todd & Dickey

On motion of Mr. Hartwell

*Resolved* That a select committee of three members be appointed by the House to confer with a similar committee of the Senate to bring in the names of 6 persons from whom 3 shall be selected to act as commissioners to revise and simplify the practice of law pursuant to the first section of art 13 of the Constitution and report their names to a convention of the House and Senate as soon as may be

The House at the request of the Speaker selected as that committee Mess Hutchinson Brown and Zimmerman  
motion of Mr. Frost

*Resolved* that the 3d house be allowed the use of this hall on this evening if not otherwise occupied by this body

Motion lost

Mr. Dickey presented the following memorial

*To the Speaker and members of the House of Representatives*

The undersigned in behalf of the Kansas Philomathic Institute respectfully request the use of your hall for a public lecture to be delivered before that society on Saturday evening next by the Rev. Edward Seagraves

Respectfully &c

TOPEKA March 6, 1856

HENRY P. WATERS *Secy*

On motion of Mr. Blood the request was granted. Mr. Hartwell moved an adjournment until 10 o'clock tomorrow morning Mr. Frost moved an amendment insert 9 in place of 10. motion lost

The motion of Mr Hartwell prevailed and the House adjourned until tomorrow morning at 9. O'clock

J. K. GOODIN *Ch'f Clk H. Rep.*

HOUSE OF REPRESENTATIVES

MARCH 7. 1856. 10 o'clock.

House met pursuant to adjournment

Prayer by Rev. Seagraves

Mess Reese Landers and Cannon of the 5th Senatorial District appeared and took the oath of office and their seats as members of the house

Journal of yesterday read, amended and approved

MESSAGES FROM THE SENATE

Relative to memorializing Congress

Relative to election of Code Commissioners

Mr. Hartwell moved to lay the messages on the table Mr. Hutchinson moved they be returned to the Senate asking their concurrence with resolutions of a similar character

The Chairman of the special committee on contested seats of Adam Fisher made the following report

MEMORIAL

*To the Honorable members of the first house of representatives of the State of Kansas in Assembly met*

I. Jacob Beyer your memorialist would submit the following contest of election to your honourable body for consideration and action I do certify that at the elections duly held at the precincts of Easton and Wyandot I was duly elected a member of your honourable body from the 12th district

and furthermore I do certify that certain judges and Clerks of election at Leavenworth precinct of said 12th district did secretly and covertly by perambulating the streets of Leavenworth and pocketing votes secure a certificate of election to Adam Fisher and whose right to a seat in your honourable body I do for the reason above given formally contest and would respectfully submit the same to your honourable body for consideration and action

For which your memorialist will ever pray

Respectfully and obediently yours

J. BEYER.

#### Committee on Contested election in 12th Senatorial district

As Chairman of the committee appointed to consider the contested seat of the 12th Senatorial or Leavenworth district in which J. Beyer contests the seat of Adam Fisher, I beg leave to submit the following report:—

The votes polled at the different precincts of the 12th Senatorial district touching this contested case were the following:

At Wyandot precinct Jacob Beyer received thirty four votes and Adam Fisher received no vote in this precinct

At the Easton precinct J. Beyer, received fifty-nine votes and Adam Fisher received fourteen votes and at the Leavenworth precinct Adam Fisher had one hundred and sixty two votes while J. Beyer had no vote

The returns of the Easton and Wyandot precincts show a clear majority of seventy-nine votes for Jacob Beyer over Adam Fisher, but by including the vote of the Leavenworth precinct in the same district Adam Fisher will have a clear majority of eighty three votes over Jacob Beyer The regularity and legality of the election and returns of the Easton and Wyandot precincts is undisputed And the only question which arises is. Is the election the manner of its conduction and the returns of the Leavenworth precinct legal regular and valid so as to admit it here?

The committee have examined the tally lists the poll books besides a number of witnesses from which they have gleaned the following facts. The poll books and tally lists of Leavenworth precinct are signed by two Clerks and by but two Judges the witnesses all testified that the votes were deposited either in an overcoat pocket. The votes of some of the witnesses were taken by a single clerk in the absence of the two judges J. M. Hook and F. P. Campbell another witness alleges that he voted out in the Street at the corner of a house that his vote was deposited with one clerk and one judge the clerk making a memorandum with a lead pencil in a small book he had for that purpose—several of the witnesses also testified that they were furnished with tickets by these same perambulating officials with the declaration that they were the tickets of the regular nomination when the facts were otherwise The election precinct had also been changed from Leavenworth to Easton some days previous to this secret election

From all the evidence the committee have been able to procure they have decided that the vote at Leavenworth precinct was illegal and they therefore find adversely to the claims of Adam Fisher and in favour of Jacob Beyer for a seat in this House

E. R. ZIMMERMAN *Chairman &c*

Mr. Crosby moved the adoption of the report Mr. Stephens moved it be laid upon the table motion lost The motion of Mr. Crosby prevailed Mr. Edsall on leave made some personal explanations relative to his vote on the contested case of Beyer vs Fisher

On motion the committee of contested seat was discharged

Mr. Brown called for the reading of the report of the Executive Committee Mr. Tuton moved a recess until 2 o'clock P. M. at which time the Senate to be notified of the desire of the House to go into joint convention for the purpose of receiving of report of Executive Committee motion carried

House met pursuant to adjournment Roll called and a quorum answered to their names

Mr. Mewhinney presented the following petition

*To the Honourable the House of Representatives of the State of Kansas*

We the undersigned a committee of Kansas now congregated at Topeka respectfully petition your honourable body that the use of the Hall of the House of Representatives be granted us on this evening if not needed by your body

(Signed) C. W. BABCOCK  
S. SUTHERLAND  
JOSIAH MILLER  
J. C. GORDON  
F. L. CRANE

On motion of Mr. Crane the request was granted

Mr Beyer of the 12th Senatorial district presented himself to the House took the oath of office and entered upon the discharge of his duties as a member of the house

Mr. Wm. Pennock of the 12th Senatorial district presented his credentials for membership to the House

On motion of Mr. Blood a committee of three was appointed to examine the credentials of Mr. Pennock, and report thereon to the House

The Chair appointed Mess Jameson Crosby and Toothman said committee

The time having arrived for the meeting of the joint convention of both Houses the Senate was announced and took their seats in convention The President of the Senate presiding The report of the Chairman Secretary and Treasurer was submitted and read The business for which the convention had met having been finished it was declared by the President adjourned sine-die

On motion of Mr. Orr the house proceeded to the election of an assistant transcribing clerk *pro tem* which resulted as follows.

C. S. Pratt	had 18 votes
F. W. Giles	had 13 "
S. Tucker	had 2 "
Whole number of votes	38
Necessary to a choice	20

Neither person having received a majority of all the votes cast it was declared that there had been no election

A second balloting was had which resulted as follows

C. S. Pratt	had 20
S. Tucker	had 3
F. W. Giles	had 17
Whole number of votes	40
Necessary to a choice	21

Neither person having received a majority of all votes cast a third balloting was had with the following result

C. S. Pratt	had 16 votes
F. W. Giles	had 22 "

F. W. Giles having received a majority of all the votes cast was declared duly elected

On motion of Mr. Dickey resolved that 10,000 copies of the reports of the Executive Committee be printed for the use of the House. Mr. Blood pro-

posed to amend by inserting 200 instead of 10,000 Mr. Addis moved to amend by inserting 500 which amendment prevailed Resolution as amended was adopted

#### REPORT OF EXECUTIVE COMMITTEE

TOPEKA, KANSAS Mar. 6. 1856

*Gentlemen of the Senate and House of Representatives*

In response to your resolution of the 5th inst I have the honor to submit the following report:

As the Executive Committee were entrusted by the people with the organization of a State government and as some steps of that organization do not seem to be fully understood I have taken the liberty of embracing in this report a brief history of that organization Early in August 1855, the following notice was printed and widely circulated among the people of the Territory

#### MASS MEETING

The Squatters of Kansas Territory without distinction of party will assemble in mass meeting in Lawrence on Wednesday the 15th day of August at 3 o'clock P. M. to take into consideration the propriety of calling a territorial convention preliminary to the formation of a State government and other subjects of interest

signed (MANY CITIZENS)

Pursuant to this call a large convention of the people irrespective of party met and adopted the following preamble and resolutions with but one dissenting vote

Whereas the people of Kansas have been since its settlement and are now without any law making power therefore be it Resolved:

That we the people of Kansas in mass meeting assembled irrespective of party distinctions influenced by a common necessity and greatly desirous of promoting the common good, do hereby call upon and request all bona fide citizens of Kansas Territory of whatever politics views or predilections to consult together in their respective election districts and in mass convention or otherwise elect three delegates for each representation to which such district is entitled in the House of Representatives of the Legislative assembly by proclamation of Gov. Reeder of date 10th March 1855 said delegates to assemble in convention at the Town of Topeka on the 19th day of September 1855 then and there to consider upon all subjects of public interest and particularly upon that having reference to the speedy formation of a constitution with intention of an immediate application to be admitted as a State into the Union of the United States of America On the 19th day of September 1855 the peoples convention assembled at the Town of Topeka, pursuant to the above resolution and the following among other proceedings were had. The report of the business committee was unanimously adopted as follows Whereas, the constitution of these United States guarantees to the people of this republic the right of assembling together in a peaceable manner for the common good, to establish justice ensure domestic tranquility provide for a common defense, promote the general welfare secure the blessings of liberty to themselves and their posterity and whereas the citizens of Kansas Territory were prevented from electing members of the Legislative assembly in pursuance of the proclamation of Gov. Reeder on the 30th of March last by an invading force from foreign States coming into the Territory and forcing upon the people a legislature of non residents and others inimicable to the people of Kansas Territory defeating the object of the organic act in consequence of which the territorial government became a total failure and the people were left without any legal government until their patience has become exhausted and forbearance ceases to be a virtue and they are compelled to resort to the only remedy left that of forming a government for themselves

Therefore Resolved by the People of Kansas Territory in delegate con



vention assembled that an election shall be held in the several election precincts of this Territory on the second Tuesday of October next under the regulations and restrictions hereinafter imposed for members of a convention to form a constitution adopt a bill of rights and take all needful measures for organizing a state government preparatory to the admission of Kansas as a State

Resolved that a committee of seven be appointed by the chair who shall organize by the appointment of a chairman and a Secretary they shall keep a record of their proceedings and shall have the general superintendence of the affairs of the territory so far as the organization of a State government is concerned which committee shall be styled the Executive Committee of Kansas Territory

As a continuation of this history I annex and make a part of this report the proclamation of the Executive Committee marked (A) fixing the time place and manner of holding the election of delegates to the constitutional convention as also a notice to the electors marked (B.) and the proclamation announcing the result and the names of the delegates marked (C) and the proclamation calling upon the people to vote upon the constitution the general banking law and the passage of Stringent laws for the exclusion of free negroes marked (D) and the proclamation announcing the result of the vote marked (E) also a proclamation calling upon the people to elect state officers and members of the General Assembly marked (F.) also the proclamation giving the result of the State election and the names of the State officers elected (G.) and the result of the election of members of the General Assembly and the names of the persons elected marked (H)

By reference to these official papers it is evident that a State organization has been had without any regard to party distinctions all bona fide citizens legal voters were pressingly invited to participate without reference to party predilections

In view of the fact that Gov. Shannon had been so recently misled by the falsehoods of the enemies of the people of Kansas it is wonderful that the President of the United States should without examination upon exparte testimony publish that the State organization was a mere party measure when every notice resolution and proclamation proves that the people of Kansas without reference to party ties originated and have so far successfully carried it through it is true that the government officials with but one exception failed to cooperate with the people in their efforts to establish a free government more however it is believed from fear of losing their positions than hostility to the movement It is presumed that the President would not have preferred this charge against the squatters of Kansas had he known that those who failed to participate in the State organization were principally his own appointees to make out his case he is compelled to take advantage of his own wrong which is forbidden by every rule of law and justice

#### FINANCIAL

Before the meeting of the constitutional convention it became manifest that some provision must be made for raising funds for carrying on the State organization on the tenth of November the first certificate was issued under the following provision adopted by the constitutional convention

Certificates of indebtedness may be issued by the Territorial Executive Committee for all necessary expenses occurring in the formation of the State government not exceeding Twenty five Thousand Dollars provided that no certificates shall be issued except for legitimate expenses All claims shall be made in writing and shall be numbered and kept on file in the Secretarys office and all certificates of indebtedness shall be signed by the Chairman and Secretary and countersigned by the Treasurer and numbered to correspond with the claim or bill for which it was issued The certificate shall bear ten per cent interest per annum

The rules laid down have been rigidly adhered to the whole issued as shown by the books of the Secretary is fifteen thousand two hundred and sixty dollars 90/100 (\$15,265.90) from this amount if you deduct sums



issued and to be issued to agents sent to the United States amounting to \$4200 it leaves the net cost of the State organization \$11,065.90 The Committee entertain the hope that it will be conceded that in the management of the funds economy has controlled in every expenditure they challenge comparison and are confident that no state government has been organized on this continent at anything near these figures The people of Kansas are already reaping the benefits of this economy in disposing of their certificates at par while Missouri State Bonds are selling at eightyfive cents

#### CONSTITUTION

Shortly after the constitutional convention Marcus J. Parrott Esq. member of the constitutional convention and member of the executive committee was appointed to draft a memorial to the congress of the United States asking for the admission of Kansas into the Union of the United States with her present constitution about the same time a manuscript copy of the constitution was forwarded to M. F. Delahay Esq. of Leavenworth afterwards elected Representatives to Congress. Before the organization of that body both left for Washington City one with the copy of the constitution and the other with power to draft a memorial both empowered to present the constitution

On the 16th of January the following order was passed by the Executive Committee That the Chairman appoint a committee of three himself being one of that number to convey to Washington City the constitution The Chairman made his arrangements immediately to obey the order Just before leaving the Easton difficulty occurred. Brown was butchered civil war seemed inevitable On the one hand the pleasure of visiting the United States was tempting him on the other his fellow citizens of Kansas seemed to demand his services—to leave them at such a crisis was not to be dreamed of—he remained

Immediately after the election in January Mess Smith Emery and Conway were sent as a deputation to the United States Judge Smith was ordered to procure the certificate of printers—he did secure the certificate of John Speer State printer he and every member of the deputation was ordered to spend a few days at Washington City they could certify to the constitution and they were clothed with authority to lay it before Congress. Mr. Parrott has verbal and written instructions to have the Constitution transcribed on parchment and delivered to Mess Cass and Banks to be laid before either branch of Congress—to guard against every contingency a certified manuscript copy has recently been forwarded by mail to Mess Delahay and Parrott care of Hon. Geo. E Pugh with a letter of instructions Every member of Congress is supplied with the constitution of Kansas We have in Washington City or ordered to that City our Representative elect to the Congress of the United States, three members of the Executive Committee—seven members of the constitutional convention each one prepared to certify to the constitution and each authorized and eager to present it to Congress.

Mess. Goodin Brown, Holliday and Lane, on the — day of — having been before appointed, agents to visit the United States were selected to repair to Washington City there to remain to aid in procuring the admission of Kansas as a Sovereign State In view to the expense of a Sojourn in Washington City five hundred dollars in scrip was voted in part pay towards their expenses except to Lane,—three hundred only was voted to him he having under his former appointment drawn two hundred dollars which was forwarded by him to Will Comback his successor in Congress to be cashed—the proceeds to be deposited in Bank for the use of the deputation where it will remain untouched until it is used for the purpose for which it was drawn

It is but natural that the members of the Committee should feel some interest on the subject of salaries. Goodin Smith and Lane have drawn two hundred dollars each Holliday one hundred dollars Brown fifty dollars Schuyler and Parrott nothing We have determined to submit this question to your judgment you are acquainted with the labour we have performed with your decision we will be content.

We cannot refrain from congratulating you and those you represent on the bright prospects before you the State government for Kansas is organized you are assembled to enact laws that will secure peace and happiness to our people. there are dark clouds in our political horizon but we should not be discouraged we have the sympathy and promised aid of Strong arms and stout hearts with their assistance if we are true to ourselves Kansas must and will be free

All of which is respectfully submitted

(signed) J. H. LANE, *Chairman of Executive K. T.*

On motion of Mr. Blood

*Resolved* that the Chairman of the Executive Committee be requested to lay before the General Assembly a copy of the returns of elections for state officers and members of the General Assembly in accordance with a requirement of the constitution

Mr. Bowen moved the following resolution

*Resolved* that we proceed to elect two United States Senators

Ruled out of order by the Chair

On motion of Mr. Hutchinson

*Resolved* that a special committee of five be appointed by nomination to confer with a committee of the same number appointed by the Senate for the purpose of making a report in joint session upon the location of the Capitol of the State of Kansas

Orr moved a reconsideration of the vote the yeas and nays were demanded thereon and ordered and resulted Yeas 25 Nays 14, as follows:—Yeas, Mess Addis Barry Beyer, Curtiss Cannon Cody Dickey Frost, Jameson Landers Mewhinney McGhee Orr, Purdam Reese Simmerwell Shores Stephens Sparks Tabor Toothman Todd, Wade Williams & Speaker 25

Nays Mess Abott Blood Brown Crosby Edsall Hutchinson Hartwell Hornsby Hicks McClure Saunders Tuton Walker and Zimmerman 14

Mr. Tuton moved to amend the resolution by striking out the word "be appointed by nomination" and inserting "be elected by the House" amendment adopted

Mr. Addis proposed an amendment by striking out the word "five" and inserting "one from each Senatorial district. The amendment of Mr. Addis was adopted.

On motion of Mr. Addis the resolution as amended was adopted

On motion of Mr. Tuton the words "to report at the next session" was added to the resolution

On motion of Mr. Hutchinson the house proceeded to the balloting for said committee as follows

1st District	John Hutchinson	had 23 votes
	Mr. Purdam	" 11 "
	J. Blood	" 3 "
2d District	S. Walker	" 17 "
	J. M. Tuton	" 22 "
3d District	W. R. Frost	" 24 "
	M. C. Dickey	" 16 "
4th District	S. T. Shores	" 15 "
	S. Mewhinney	" 24 "
5th District	J. Brown Jr.	" 20 "
	T. Arthur	" 17 "

6th District	Mr. Toothman	had 9 votes
	“ Tabor	“ 2 “
	“ Addis	“ 23 “
7th District	Mr. McClure	“ 30 “
	Mr. Barry	“ 4 “
8th District	Mr. Wetson	“ 12 “
	Mr. Ferby	“ 19 “
9th District	Mr. Wade	“ 10 “
	Mr. Hicks	“ 24 “
10th District	Mr. Jameson	by acclamation
11th District	Mr. Zimmerman	had 20 “
	Mr. Crosby	“ 13 “
	Mr. Stephens	“ 3 “
12th District	Mr. Orr	“ 16 “
	Mr. Sparks	“ 15 “
	Mr. Beyer	“ 5 “
	Mr. Cody	“ 1 “

No election—

2d Ballot	Mr. Orr	had 11 votes
	Mr. Sparks	“ 18 “
	Mr. Beyer	“ 6 “
	Mr. Cody	“ 1 “

No election—

3d Ballot	Mr. Orr	had 6 votes
	Mr. Sparks	“ 26 “
	Mr. Beyer	“ 3 “

Mess. Hutchinson Tuton Frost, Mewhinney Brown Addis McClure Ferby Hicks Jameson Zimmerman and Sparks having each received a majority of all the votes given were duly elected as the committee on the part of the House and the Clerk was instructed to give the proper notification to the senate

Mr. Blood offered the following resolution

*Resolved* That the Executive Committee be requested to deposit all the books and papers remaining in their office including the original manuscript copy of the Constitution of the State of Kansas in the office of the Secretary of State

Mr. Dickey moved to lay the resolution upon the table

The yeas and nays thereon were demanded and ordered and resulted Yeas 23. Nays 13. as follows:—

Yeas Mess. Arthur Addis Brown Bowen Cannon Cody Dickey Edsall Hutchinson Hornsby Hicks Jameson Mewhinney McGhee Orr Purdam Reese Simmerwell Shores Stephens Sparks Tabor and Speaker

Nays Mess. Abbott Blood Barry Curtiss Crosby Hartwell McClure Landers Toothman Todd Williams and Zimmerman

So the resolution was laid upon the table

Mr. Hicks offered the following resolution

*Resolved* by the Senate and House of Representatives of Kansas. That the two houses meet in joint session at 11 A. M. on Saturday the eighth inst in the Hall of the House of Representatives and then and there elect 2 persons to represent the State of Kansas in the Senate of the United States one to serve three years from the 4th day of March 1855 and one to serve 6 years from the 4th day of March A. D. 1855

MESSAGE FROM THE SENATE

Relative to Joint Rules as follows.

MR. SPEAKER, I have the honor to inform the House of Representatives that the Senate has adopted the following joint rules in which the concurrence of the House of Representatives is requested

JOINT RULES OF THE TWO HOUSES

1st In every case of amendment of a bill agreed to in one house and dissented to in the other if either House shall request a conference appoint a committee for that purpose and the other house shall also appoint a committee each committee shall at a convenient hour to be named by the Chairman, meet in conference and state to each other verbally or in writing as each shall choose the reasons of their respective houses for and against the amendment and confer freely thereon

2d Messages shall be sent by the Secretary or Clerk of each house respectively

3d When a messenger shall be sent from the Senate to the House he shall be announced at the door of the House, by the Sergeant at Arms and he shall respectfully communicate his message to the House

4th The Same ceremony shall be observed when a message is sent from the House to the Senate

5th All Bills on passage between the two houses shall be under the Signature of the Clerk or Secretary of each House respectively

Sec. 6th Bills shall be enrolled by the Clerk of the House or the Secretary of the Senate as the same may have originated in the one or the other House

7th After examination and report Bills shall be signed first by the Speaker of the House and then by the President of the Senate

8th When a Bill or Resolution passed in one House and rejected in the other notice thereof shall be given in the House in which it passed

9th Each House shall transmit to the other all papers upon which any bill or resolution shall be founded

10th All Bills which may have passed a third time shall be engrossed in a fair hand and certified by the Secretary or Clerk of the House in which they may have originated respectively before sent to the other

11th After each House shall have adhered to their disagreement a Bill or resolution shall be lost

12th When Bills are enrolled they shall be examined by a joint committee of two from the Senate and two from the House appointed as a Standing Committee for that purpose who shall carefully compare the enrollment with the engrossed bills as passed in the two houses and correct any errors that may be discovered in the enrolled bills

All of which is most respectfully submitted

Attest A. ALLEN *Ch'f Clerk.*

On motion the House adjourned until tomorrow morning at 9 o'clock  
J. K. GOODIN *Ch'f Cl'k H. Rep.*

HOUSE OF REPRESENTATIVES

9 o'clock a. m. March 8. 1856

House met pursuant to adjournment

Prayer by the Rev. Addis

Roll called—Sergeant at Arms dispatched for absentees On motion of Mr. Tuton further proceedings under the call was dispensed with

The committee on elections in case of Wm. Pennock an applicant for admission to the House made the following report.

Committee to investigate the claim of William Pennock to a seat in this his house as representative from the 12th Senatorial district as chairman of said committee I beg leave to submit the following Report.

After a thorough examination of the Poll Books and Tally List of the several precincts of said district we find that there were polled for Mr.



Pennock at the Wyandott precinct 35 votes at the Easton precinct 72 votes and at the Leavenworth Precinct none whole number of votes polled for said claimant 107 Now that there is no evidence whatever produced by the poll books and tally list or otherwise that he is not entitled to his [seat] committee have decided said election was legal and that Mr. Pennock is entitled to a seat in this house Topeka, March 8, 1856

(signed) A. A. JAMESON *Chairman*

On motion of Mr. Frost the report was adopted whereupon Wm. Pennock appeared took the oath of office and took his seat as a member of the House

The special committee appointed to report resolutions on the decease of Thomas W. Barber reported progress and asked leave to sit again leave was granted The same committee made the following report upon the death of the Hon. R. P. Brown

Whereas R. P. Brown Esq. a member of this House was inhumanely murdered at Easton on the 18th of January last by a body of armed men from Missouri and the City of Kickapoo and whereas justice to ourselves as well as respect to the memory of the deceased require a tribute at our hands

Therefore Resolved—That in the cold-blooded murder of R. P. Brown by the hand of a mob, of the mercenaries and desperadoes of a neighboring state we have sustained an irreparable loss,—the country of the services of a gentleman of Intelligence Integrity, Honor Patriotism and True Courage and his family of a husband and father

Resolved That we extend to the bereaved widow our heartfelt condolence on account of the afflicting calamity and assure her that the whole country joins with her in her grief

Resolved That while we condole with her in her afflictions we feel that Providence will overrule for good Mr. Brown has joined the host of martyrs whose blood has watered the tree of Liberty his name with those of Dow and Barber will survive and adorn the brightest page in the future history of Kansas while those who were the instruments of this outrage like the perpetrators of other base crimes will be remembered only as monsters in the dark catalogue of human depravity

Resolved That we recommend to the lovers of freedom and justice to erect a monument to the memory of the deceased with suitable inscriptions and the state make liberal contributions in aid of such enterprise

Resolved That we wear the usual badge of mourning for thirty days in commemoration of the heroic conduct of our deceased friend and colabourer in the cause of Freedom

Resolved That certified copies of these resolutions be furnished the several papers in the State of Kansas and that — be requested to copy the same and that copies be forwarded to the widow of the deceased

On motion of Mr. Orr the report was adopted

The committee on ways and means reported House Bill no. 1. Authorizing the State Auditor to audit all demands against the State

Mr. Dickey moved the following amendment to the bill That the Governor is hereby allowed to employ a messenger for his office and he shall be allowed all expenses for postage stationery fuel books &c belonging to his department

On motion of Mr. Hartwell all after the word messenger was stricken out

Mr. Blood proposed to amend by inserting after the words “and State officers” and adding “all other demands against the State” amendment adopted

Mr. Blood proposed an additional section to the bill, as follows

Sec. 2, This act to take effect from and after its passage—amendment adopted

On motion of Mr. Tuton the rules were suspended and the bill passed to its second reading After the reading of the bill on motion of Mr. Hartwell the bill was ordered to be engrossed A letter was received from the assistant enrolling clerk declining his office

The resignation was received and on motion of Mr. Hutchinson the House proceeded to fill the vacancy occasioned by the resignation of F. W. Giles The following was the result of the balloting

Geo. S. Ramsey had 10 votes

C. S. Pratt had 26 "

Caleb S. Pratt having received a majority of all the votes given was declared duly elected. Mr. Williams offered the following resolution

*Resolved* that the committee appointed to prepare a memorial to be sent to the Congress of the United States asking for the admission of Kansas into the Union as a Sovereign State be authorized to forward said memorial as soon as possible to be presented to that body Provided that the General Assembly shall adjourn previous to the completion of said memorial by the Committee

On motion of Mr. Zimmerman the resolution was laid upon the table

On motion of Mr. Hartwell the joint rules of the Senate and House of representatives was read a second time and ordered to a third reading upon Monday next

Mr. Blood moved an adjournment motion lost Mr. Toothman asked leave of absence—granted. The resolution of Mr. Hicks being next in order Mr. Hornsby moved to lay the resolution on the table

Mr. Edsall offered the following resolution *Resolved.* That the Senate concurring The House will at 4 o'clock this afternoon proceed to the election of two persons to represent Kansas in the Senate of the United States Mr. Addis moved to amend by striking out "4" and inserting "2" Mr. Blood moved to amend by striking out after the word House "will at 4 o'clock this afternoon" and inserting "will on the fourth day of July next" lost

On motion of Mr. Blood House suspended further action on the resolution until a message from the Senate be read. motion carried

#### MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to present the following extract from the journal of the Senate

*Resolved.* The House concurring the Senate will go into joint committee at four o'clock this day for the election of two persons as United States Senators

Attest A. ALLEN *Clerk.*

Mr. Saunders moved an adjournment motion lost Mr. Blood moved that the further consideration of the resolution be postponed until 25th June next lost Mr. Blood then made a motion to defer action upon the resolution until after action upon Senate Bill No. 4, upon which the yeas and nays were called

Yeas. Mess. Abbott Blood Beyer Brown Barry Curtiss Cannon Crosby Cody Dickey Frost Hartwell Hutchinson Hornsby Jameson Mewhinney McClure Purdam Pennock Reese Saunders Stephens Sparks Tabor Todd Williams 26

Nays. Mess Arthur Addis Bowen Edsall Hicks Landers McGhee Shores

Toothman Tuton Zimmerman & Speaker 12. The motion prevailed On motion of Mr. Blood Senate Bill No. 4 was taken up and on motion of the same gentleman the rules were suspended.

Yeas and nays being ordered.

Yeas Arthur Addis Abbott Blood Beyer Brown Barry Curtiss Cannon Crosby Cody Dickey Edsall Frost Hartwell Hutchinson Hornsby Hicks Jameson Landers Mewhinney McClure McGhee Pennock Purdam Reese Saunders Simmerwell Shores Stephens Sparks Tuton Tabor. Toothman Todd Williams Zimmerman 38

Nays none

So the Bill passed to a second reading On motion of Mr. Blood the following amendment was adopted

Prefix Whereas a vacancy has occurred in the Senate and subjoin This act shall be in force from and after its date

On motion of Mr. Brown the roll was called and 38 members responded to their names

The Yeas and Nays were then ordered on the adoption of the first section of Senate Bill No 4. and resulted as follows

Yeas Mess Arthur Addis Abbott Blood Beyer Brown Bowen Barry Curtiss Cannon Crosby Cody Dickey Edsall Frost. Hartwell Hutchinson Hornsby Hicks Jameson Landers Mewhinney McClure McGhee Pennock Purdam Reese Saunders Simmerwell Shores Stephens Sparks Tuton Tabor Toothman Todd Williams Zimmerman and Speaker 38

Nays none

Yeas and nays being ordered on the adoption of the second section of Senate Bill No. 4. resulted as follows

Yeas. Mess Arthur Addis Abbott Blood Beyer Brown jr. Bowen Barry Curtiss Cannon Crosby Cody Dickey Edsall Frost Hartwell Hutchinson Hornsby Hicks Jameson Landers Mewhinney McClure McGhee Pennock Purdam Reese Saunders Simmerwell Shores Sparks Tabor Tuton Toothman Todd Williams Zimmerman 37

Yeas and Nays being ordered on the final passage of Bill No. 4. resulted as follows.

Yeas Mess. Arthur Addis Abbott Blood Beyer Brown Jr. Bowen Barry Curtiss Cannon Crosby Dickey Edsall Frost. Hartwell Hutchinson Hornsby Hicks Jameson Landers Mewhinney McClure McGhee Pennock Purdam Reese Saunders Simmerwell Shores Sparks Tuton Tabor Toothman Todd Williams Zimmerman 37

On motion of Mr. Blood the bill as amended was returned to the Senate for concurrence

On motion of Mr. Crosby adjourned to 2 o'clock P. M.

#### AFTERNOON SESSION

Met pursuant to adjournment Roll called—a quorum being present Caleb S. Pratt Assistant Transcribing Clerk *pro tem* elect came forward took the oath of office and entered upon the discharge of his duties Mr. Cody moved that the resolution for the election of United States Senators be taken up motion carried

Mr. Bloods amendment to postpone the election of United States Senators.

until the 4th of July next Yeas and Nays being ordered was voted upon and resulted Yeas 16 Nays 25: as follows:—

Yeas Mess. Abbott Blood Beyer. Brown Barry Crosby Hartwell Hornsby Jameson McClure Purdam Saunders Tabor Toothman Todd and Williams.

Nays Arthur Addis Bowen Curtiss Cannon Cody Dickey Edsall Frost Hutchinson Hicks Jones Mewhinney McGhee Orr Pennock Reese Simmerwell Shores Stephens Sparks Tuton Walker Zimmerman & Speaker 25

So the amendment was lost

Mr. Blood then offered the following amendment to strike out the words 4 o'clock and insert the 10th of June next.

The Speaker decided the amendment to be out of order

Mr. Blood took an appeal from the decision of the Chair Mr. Orr moved that all who wished should be excused from voting motion lost

Yeas and Nays on the appeal being ordered, resulted Yeas 21 Nays, 17.

Yeas Arthur Addis Bowen Curtiss Cannon Cody Dickey Edsall, Frost Hicks Landers Mewhinney McGee Orr, Purdam Reese Simmerwell Shores Stephens Sparks Tuton 21.

Nays. Mess. Abbott Brown Barry Blood Crosby Hartwell Hutchinson Hornsby Jameson McClure Saunders Tabor Toothman Todd Williams Walker Zimmerman 17

Mr. Dickey called for the previous question which was then taken Yeas and Nays being ordered resulted Yeas 25, Nays 16.

Yeas Mess. Arthur Addis Bowen Beyer Curtiss Cannon Cody Dickey Edsall Frost Hicks Landers Mewhinney McGhee Orr, Pennock Reese Simmerwell Shores Stephens Sparks Tuton Walker Zimmerman Speaker

Nays. Abbott Blood Brown Jr. Barry Crosby Hartwell Hutchinson Hornsby Jameson McClure Purdam Saunders Tabor Toothman Todd Williams 16

So the previous question was carried The question then was on the adoption of the resolution as amended

Yeas and Nays being ordered resulted Yeas 25 Nays 16.

#### MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform you that the Senate have concurred in the amendments of the House to Bill No. 4. from the Senate

Attest A. ALLEN Clerk.

Yeas, on the adoption of the resolution as amended, Mess Arthur Addis Beyer Bowen Curtiss Cannon Cody Dickey Edsall Frost Hicks Landers Mewhinney McGhee Orr Pennock Reese Simmerwell, Shore Stephens Sparks Tuton Walker Zimmerman Speaker

Nays, Abbott Blood Brown Jr Barry Crosby Hartwell Hutchinson Hornsby Jameson McClure Purdam Saunders Tabor Toothman Todd, Williams  
A recess was taken on motion on Mr. Tuton until 4 o'clock.

4 O'CLOCK P. M.

The two houses met in joint session the President of the Senate presiding and proceeded to elect, 2 persons to represent the State of Kansas in the U. S. Senate one for the term of three years from March 4th 1855, the other for the term of six years commencing at the same time

On the first vote the result was as follows for A. H. Reeder Mess. Adams



Allen Cole Dunn Fish Green Harding Hillyer Irvin Addis Abbott Blood Beyer Brown Jr. Bowen Barry Curtiss Crosby Cody Edsall Hartwell Hutchinson Hornsby Hicks Jameson McClure Orr, Purdam Saunders Simmerwell Sparks Tabor Toothman Todd Williams Walker Zimmerman Minard 38.

For James H. Lane, Mess Curtiss Dailey Miller Thornton Arthur Cannon Dickey Frost Landers Mewhinney McGee Pennock, Reese Shores Stephens 15 For W. Y. Roberts, Mess Fuller McKenzie and Tuton 3.

Hon. A. H. Reeder having received a majority of the votes cast was declared duly elected on motion A. H. Reeder was declared duly elected On motion A. H. Reeder was declared unanimously elected

On the second ballot, the result was as follows, for James H. Lane, Mess Adams Cole Curtiss Dailey Dunn Fuller Green Hillyer McKenzie Miller Thornton Arthur Addison Beyer, Brown Jr Bowen Curtiss Cannon Cody Dickey Edsall Frost Hutchinson Hicks Landers Mewhinney McGhee Orr Pennock Purdam Reese Simmerwell Shore Stephens Sparks Tuton Williams Walker Zimmerman Minard 40.

For P. C. Schuyler Mess Allen Fish Abbott Blood Hartwell Saunders Tabor Toothman Todd 9

For J. K. Goodin Mess. Harding Irvin and Hornsby 3.

For R. Klotz Mess Barry and McClure 2.

For M. J. Parrott Mess Crosby and Jameson 2.

Hon. James H. Lane having received a majority of all the votes cast was declared duly elected

On motion James H. Lane was declared unanimously elected

The President announced that the convention had accomplished the object for which they came together—declared it adjourned sine-die

#### HOUSE CAME TO ORDER.

On motion of Mr. Frost the following committee was appointed to examine the report of the executive Committee and to report to the House—Mess Frost Blood and Tuton

On motion the House then adjourned

J. K. GOODIN *Ch'f Cl'k H. Rep.*

#### HOUSE OF REPRESENTATIVES

MONDAY, March 10, 1856

Met pursuant to adjournment. Prayer by the Rev. Mr. Tuton. Roll called—Sergeant at Arms sent for absentees

A quorum being present, the journal of Saturday was read amended and approved

Mr. Joseph Higgins of 5th district came forward took the oath of office and entered upon the discharge of his duties as a member of this House

Mr. Blood Chairman of Committee on Banks and Corporations reported House Bill No. 2.

On motion of Mr. Orr the report was accepted On motion of Mr. Edsaul the report was laid upon the table

On motion of Mr. Hutchinson that part of the Governor's message referring to the militia was referred to the committee on militia

Mr. Mewhinney offered the following resolution

*Resolved* That a committee of three be appointed to investigate the claims of members to their seats in this House—adopted

On motion of Stephens the committee were empowered to send for persons and papers

Mess. Mewhinney Edsaul and Crosby were appointed said committee  
Mr. Pennock offered the following resolution

*Resolved* That the Chair appoint a committee of nine to act in concord with three from the Senate to codify the laws—adopted

The following message from the Senate was received

MR. SPEAKER I have the honor, to inform you that the following resolution has passed the Senate and would ask the concurrence of the House therein

*Resolved* That a committee of 5 be appointed to act in conjunction with a similar committee from the House of Representatives for the State of Kansas

Mess. Allen Adams Curtis Thornton and Hillyer—committee

attest A. ALLEN *Ch. Clerk.*

On motion of Mr. Hutchinson the motion was amended so as to read “3 from the Senate and nine from the House”

On motion of Mr. Brown the rules were suspended. Yeas and Nays being ordered resulted Yeas 38 Nays none—as follows

Yeas, Mess. Arthur Abbott Blood Beyer Brown Bowen Barry Curtiss Cannon Crosby Cody Dickey Edsaul Frost Hartwell Hutchinson Hicks Jameson Landers Mewhinney McClure McGee Orr Pennock Purdam Reeses Saunders Shores Stephens Sparks Tuton Tabor Todd Williams Zimmerman Speaker

So the resolution passed to its second reading.

On motion of Mr. Hartwell after the word “three” insert “from the Senate” the motion was carried.

On motion of Mr. Brown the rules were suspended, and the resolution passed to its third reading Yeas and Nays being ordered resulted.

Yeas 38 Nays none—as follows.

Yeas Arthur Abbott Blood Beyer Bowen Brown Barry Curtiss Cannon Crosby Cody Dickey Edsall. Frost Hartwell Hutchinson Hornsby Higgins Hicks Jameson Landers Mewhinney McClure McGhee Orr Pennock Purdam Reese Saunders Shores Stephens Sparks Tuton Tabor. Todd Toothman Williams Zimmerman Speaker 38

Nays none

Vote on the final passage yeas and nays being ordered resulted Yeas 38, Nays none as follows. Yeas Mess Arthur Abbott Blood Beyer Brown Bowen Barry Curtiss Cannon Crosby Cody Dickey Edsaul Frost Hartwell Hutchinson. Hornsby. Higgins Hicks Jameson Landers Mewhinney McClure McGee Orr, Pennock, Purdam Reese Saunders Shores Stephens Sparks Tuton Tabor. Toothman Todd Williams Walker Zimmerman Speaker Yeas 38

Nays none

On motion of Mr. Edsaul the resolution as amended, was returned to the Senate asking their concurrence

On Motion of Mr. Hutchinson a committee of three was appointed to assign the several parts of the Governors message to the respective committee The Chair appointed Mess. Hutchinson Tuton & Dickey said committee

Mr. Abbott offered the following resolution

*Resolved* That the assistant doorkeeper and Sergeant at Arms be required to put into suitable wrappers for mailing all newspapers furnished this House and deliver to each member his due proportion

On motion of Mr. Tabor, it was amended by inserting "and all other matter ordered to be printed for the use of the house"

The resolution as amended was adopted

Mr. Frost offered the following resolution

*Resolved* That a committee of five be appointed to report the Salaries of the Speaker Clerks Sargeant at Arms Doorkeeper and messengers

On motion of Mr. Edsaul the Bill was amended, by inserting "to report a bill to establish the Salaries" Resolution as amended was adopted

The Speaker appointed Mess. Frost Blood Pennock Dickey and Tuton Mr. Tuton offered the following resolution

*Resolved* that there be a committee of three appointed to report suitable resolutions in reference to the death of the lamented G. W. Dow who was murdered in Cold Blood near Hickory Point in this territory. resolution adopted

Mess. Tuton Saunders and Hartwell were appointed as said committee Mr. Hutchinson offered the following resolution.

*Resolved* That the Clerk be authorized to procure the necessary blank books for the use of the clerks of this House adopted

#### A MESSAGE FROM THE SENATE

MR. SPEAKER I have the Honor to inform you that the following resolution has passed the Senate and they do respectfully ask a concurrence of the house therein

*Resolved* That the House of Representatives concurring the General Assembly will at 4 o'clock on Wednesday the 12th inst take a recess until the 4th day of July next at 12 o'clock

Attest A. ALLEN *Sec. of Senate*

On motion of Mr. Hutchinson the House resolved itself into committee of the whole the consider the message.

Mr. Hartwell in the Chair

The committee after considering the subject referred to them made the following report.

MR. SPEAKER the Chairman of Committee of the whole report back the resolution with one amendment, as follows

*Resolved* That when the General Assembly take a recess they take it to meet again on the 4th of July 1856 at 12 o'clock. M.

The following message was received from the Senate

MR. SPEAKER I have the honor, to inform you that the following resolution has passed the Senate and they do respectfully ask a concurrence of the House therewith

*Resolved* The House concurring that the two Houses meet in the House of Representatives on Tuesday the 11th inst at 2 o'clock P. M. in joint convention for the purpose of electing 3 commissioners to codify the practice and simplify the pleading

Attest A. ALLEN *Chief Clerk.*

On motion of Mr. Tuton the House concurred On motion of the same gentleman the House adjourned until Tuesday 9 o'clock, A. M.

J. K. GOODIN *Ch'f Cl'k H. Rep.*

HOUSE OF REPRESENTATIVES  
TUESDAY March 11/56

House came to order pursuant to adjournment. Roll called a quorum answered to their names

On motion of Mr. prayer was dispensed with

Mr Marshall of the 6th and Mr. Jones of the 11th Senatorial district appeared took the oath of office and entered upon the discharge of their duties as members of this house

Journal of yesterday read amended and approved

Mr. Dickey chairman of committee on ways and means presented a report which was accepted

Mr. Saunders chairman of the committee on "the militia" presented a report which was accepted

Mr. Brown presented the following memorial from 56 Ladies of Topeka as follows.

*The the Honourable the Senate and the House of Representatives of the State of Kansas.*

The undersigned your memorialists citizens of Kansas and the wives and daughters of your constituents beg leave respectfully to present to your Honourable body that in the opinion of your memorialists the public interests require that suitable laws be immediately passed to prevent the manufacture and importation for sale or use as a beverage within the State of Kansas of any distilled or malt liquors

It is not necessary for us in view of your own observations and the united testimony of all experience to enter into a minute discussion of the evils resulting to all classes of society from the use of intoxicating drinks as a beverage Ever since its first manufacture it has been the aim of legislators to pass restraining laws, to prevent its use and each year in the older states of the union new enactments have been found necessary until the Statute books have become literally loaded down with provisions on this subject

It was not until within a few years that the true method was devised for its eradication and then those imaginary rights long established and entrenched behind the bulwark of law, and even of State constitutions were found in the way of an effectual remedy Not so in Kansas here every thing is new, and those privileges acquired by law and long established customs do not exist No one can point to the precedent of several general generations to sustain him in doing that which he frankly admits to be a wrong upon Society Here in Kansas we are laying the foundation of a new society and you as the first law making power recognized by the people should examine with the greatest circumspection the evils existing in older States and by wise and judicious enactments protect the moral and social interests of the community. You will not [attempt] to pass by or neglect the enacting of stringent laws for the sale of lottery tickets the selling of unwholesome food the adulterating of flour &c.

How then can you fail to give attention to a subject which impoverishes a whole nation brings wretchedness and misery in its train, fills the land with mourning and sends the widow's wail and orphans sob to heaven for relief

Into the plastic material which you have the power to mould into form, and clothe with lineaments and breath and in view of the great suffering entailed on us the females of the State who are unable by persuasion and kindness to influence those we love in the channel which leads to temperance prosperity and happiness and in view of their oft repeated declarations that if the destroyer could be removed from their sight and reach they would abstain from its use we therefore urgently but respectfully pray you to take our memorial into consideration and enact such laws in consonance with its spirit which your wisdom may suggest

Signed MRS. L. M. MOORE and 55 others  
The ladies of Topeka



On motion of Mr. Tuton the memorial was accepted and on motion of Mr Crosby it was referred to the committee on "vice and immorality"

The following message was received from the Senate

MR. SPEAKER I have the honor to present the following resolution which passed the Senate and they do respectfully ask the House to concur therein

*Resolved* That the House concurring Mr. A. D. Searl be employed to obtain from the office of the Surveyor General of Kansas and Nebraska as complete a map and description of the Surveyed Lands of Kansas as can be conveniently and speedily had for the use of the committee on Counties

Attest A. ALLEN *Sec. of Senate*

The message on motion of Mr. Hornsby was accepted.

Mr. McClure offered the following resolution

*Resolved* That a committee be appointed to be called "A Committee to compare Bills" the same to be one of the Standing committees of the House. resolution adopted.

The Speaker appointed Mess. McClure, Marshall and Curtis said committee

Mr. Hartwell offered the following resolution.

*Resolved* That the action upon the concurrent resolution for the appointment of a codifying committee be now reconsidered. Adopted

Mr. Hutchinson then offered the following resolution.

*Be it resolved by the General Assembly of the State of Kansas* that a committee of five be appointed from the Senate to act in conjunction with a committee to be appointed from the House whose duty it shall be to prepare laws and report the same to the Senate & House

Mr. Hutchinson afterwards [amended] his resolution making it read as follows.

*Be it resolved by the General Assembly of the State of Kansas* that a committee of five be appointed from the Senate and fifteen from the House whose duty it shall be to prepare a code of laws and report the same to the Senate and House

On motion of the same gentleman it was laid upon the table

House Bill No. 1. was then passed.

Yeas 38 nays none as follows:

Yeas Mess Arthur Blood Beyer Brown Bowen Barry Curtiss Cannon Crosby Cody Dickey Edsaul Frost. Hartwell Hutchinson Hornsby Higgins Hicks Jameson Jones Landers Mewhinney Marshall McClure McGee Pennock, Purdam Reese Saunders Shores Sparks Tuton Tabor Toothman Todd Williams Walker Zimmerman 38.

Nays none

On motion of Mr. Hutchinson the bill was sent to the Senate for their concurrence

On motion of the same gentleman House bill No 2 passed to a second reading the rules being suspended

On motion of Mr. Tuton the House went into a committee of the whole for the consideration of House Bill No. 2.

The Chairman of Committee of the whole reported the bill back to the House with sundry amendments

On motion of Mr. Hutchinson the rules were suspended. Yeas 41, Nays none

Yeas Mess. Arthur Abbott Blood Beyer Brown Bowen Barry Curtiss Cannon Crosby Cody Dickey Edsaul Frost Hartwell Hutchinson Hornsby Higgins Hicks Jameson Jones Landers Mewhinney McClure McGee Orr. Pennock Purdam Reese Saunders Shores Stephens Sparks Tuton Tabor Toothman Todd Williams Walker Zimmerman 41

Nays none

House Bill No. 2 was passed

Yeas 40 nays none.

Yeas Mess. Arthur Abbott Blood Beyer Brown Bowen Barry Curtiss Cannon Crosby Cody. Dickey Edsaul Frost Hartwell Hutchinson Hornsby Higgins Hicks Jameson Jones Landers Mewhinney Marshall McClure McGee Orr. Pennock Purdam Reese Saunders Shores Stephens Sparks Tuton Tabor Toothman Williams Walker Zimmerman 40

Nays none

On motion the Clerk was directed to report the passage of House Bill No. 2, asking the concurrence of the Senate

#### MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to present the following extracts from the journal of the Senate The minority of the committee on the part of the Senate to nominate suitable persons to act as commissioners to revise reform simplify and abridge the rules of practice pleadings forms and proceedings of the Courts of records of this State Report the following names

J. K. Goodin

Josiah Miller

Geo. W. Smith

M. J. Parrott

C. L. Crane

G. B. Round

which report was adopted

On motion of Mr. Hutchinson the message was laid upon the table

On motion of the same gentleman House Bill No. — was read by its title

On motion of Mr. Curtiss the bill was recommitted

Mr Edsaul offered the following resolution

*Resolved* that Mrs Chapman be admitted to a seat within the bar of this House as reporter for the Kansas Intelligencer her husbands paper, published at Kansasopolis, Ks.

Yeas and nays being ordered resulted Yeas 37 Nays 4 as follows

Yeas Mess. Arthur Abbott Blood Brown Jr. Bowen Barry Curtiss Crosby Cody Dickey Edsall Frost Hartwell Hornsby Higgins Hicks Jameson Jones Landers Marshall McClure McGhee Orr. Pennock Purdam Saunders Stephens Sparks Tuton Tabor Toothman Todd Williams Walker Zimmerman Speaker 37

Nays Cannon Hutchinson Mewhinney Reese 4

So the resolution was carried

The committee appointed to report names for commissioners to revise the practice &c. reported as follows

M. J. Parrott

E. M. Thurston

Edward Clark

C. L. Crane

G. W. Smith

C. A. Foster

Mess Hutchinson Brown and Zimmerman House Committee Mess Allen and Adams Senate Com'e

On motion of Mr. Walker the report was received. Yeas and nays being ordered resulted Yeas 26 nays 12.

Yeas, Mess. Arthur Abbott Blood Beyer Brown Jr. Bowen Barry Curtils Cannon Crosby Hartwell Hornsby Higgins Landers Mewhinney Marshals McClure Orr Reese Saunders Tuton. Tabor Toothman Todd Williams Walker 26

Nays, Cody Dickey Edsaul Frost Hicks Jameson Jones McGhee Pennock Purdam Stephens Sparks 12

Mr. Frost then moved that the report be indefinitely postponed Yeas and Nays being ordered, resulted Yeas 17, nays 22, as follows.

Yeas, Mess Arthur Cannon Cody Dickey Edsall Frost Hicks Landers Marshall McGhee Orr Pennock Purdam Shores Stephens Sparks Tuton 17

Nays Mess Abbott Blood Beyer Brown Jr. Bowen Barry Curtiss Crosby Hartwell Hutchinson Hornsby Higgins Jameson Mewhinney McClure Reese Saunders Tabor Toothman Todd Williams Walker, 22.

Mr. Frost moved that the names be stricken out and the following names inserted

J. K. Goodin

G. W. Smith

Josiah Miller

E. M. Thurston

M. J. Parrott

C. L. Crane

Mr. Tuton moved an amendment to strike out the name of E. M. Thurston and insert that of Edward Clark.

Motion to amend was withdrawn

Mr. Brown moved to amend by striking out the name of C. L. Crane and insert C. A. Foster

Motion lost

Mr. Edsall called for the previous question

Yeas and nays being ordered resulted Yeas 24 nays 17

Yeas Mess Arthur Beyer Brown Cannon Crosby Cody Dickey Edsall Frost Hicks Jameson Jones Landers Marshall McGhee Pennock Purdam Reese Shore Stephens Sparks Tuton Walker Zimmerman 24

Nays Mess Abbott Blood Brown Jr. Barry Curtiss Hartwell Hutchinson Hornsby Higgins Mewhinney McClure Orr. Saunders Tabor Toothman Todd Williams 17.

Mr Hartwell presented the following memorial from ladies of Topeka, as follows

*To the Speaker members and officers of the House of Representatives*

GENTLEMEN You are most respectfully requested to attend a social party to be given by the Ladies of Topeka this evening at Constitution Hall

March 11th 1856

Respectfully

THE LADIES OF TOPEKA

On motion the House adjourned until 2 o'clock P. M.

2 O'clock P. M.

Roll called and a quorum answered to their names

A message from the Governor, was received from the hands of his Private Secretary Edward Clark and read.

*To the Senate and House of Representatives*

GENTLEMAN In accordance with the provisions of the Constitution I have this day appointed G. A. Cutler Auditor of State to fill the vacancy occasioned by the resignation of James M. Winchell late Auditor

signed C. ROBINSON Governor &c.

Topeka March 11/56

The hour having arrived the Senate and House of Representatives met in joint convention for the election of three commissioners to codify the practice and simplify the pleadings

The Convention on motion of Mr. Hutchinson agreed to elect one commissioner at each balloting

The first ballot resulted as follows

J. K. Goodin	had 42 votes
M. J. Parrott	" 11 "
G. W. Smith	" 2 "
E. Clark	" " "

Whole number of votes given 57

Necessary to a choice 29

J. K. Goodin having received a majority of all the votes given was declared duly elected

Another balloting was then had for the election of Commissioner with the following result

Josiah Miller	had 23 votes
M. J. Parrott	" 19 "
G. W. Smith	" 8 "
E. M. Thurston	" 1 "
E. Clark	" 7 "

Whole number of votes given 58

Necessary to a choice 30

No person having received a majority of all the votes given it was declared there had been no election

Another Balloting was had as follows

Josiah Miller	had 29 votes
M. J. Parrott	" 18 "
G. W. Smith	" 2 "
E. Clark	" 10 "

Whole number of votes thrown 59

Necessary to a choice 30

No persons having received a majority of all the votes given it was declared there had been no election

A Third balloting was had resulting as follows.

Josiah Miller	had 28 votes
M. J. Parrott	" 22 "
E. Clark	" 8 "

Whole number votes 58

Necessary to a choice 30

No person having received a majority of all the votes given it was declared there had been no election

A Fourth Balloting was had with the following result

Josiah Miller	had 31 votes
M. J. Parrott	" 22 "
E. Clark	" 6 "

Whole number of votes 59

Necessary to a choice 30

Josiah Miller having received a majority of all the votes given was declared elected as one of the Commissioners



A Balloting was then had for election of a third commissioner, which resulted as follows.

M. J. Parrott	had 21 votes
E. Clark	" 10 "
G. W. Smith	" 28 "

Whole number of votes 59

Necessary to a choice 30

No person having received a majority of all the votes given it was declared there had been no election Another balloting was had with the following result

M. J. Parrott	had 17 votes
E. Clark	" 11 "
G. W. Smith	" 31 "

Whole number of votes given 59

Necessary to a choice 30

George W. Smith having received a majority of all the votes given was declared duly elected as Commissioner. The business for which the Convention had convened having been finished the President declared it adjourned *sine-die*

House came to order

Mr. Hartwell offered the following resolution

*Resolved* by the General Assembly of Kansas that the journal of the Constitutional Convention which met at Topeka on the 23d day of October A. D. 1855, together with the calls and proclamations of the people and the Chairman of the Executive Committee touching the State organization ought to be published and that 1,000 copies are hereby ordered to be printed in pamphlet form for the use of the General Assembly and the State Officers

On motion it was laid over for second reading on tomorrow

Mr. Hutchinson offered the following resolution

*Resolved* that the use of this Hall be granted to the ladies of Topeka this afternoon and evening resolution adopted

On motion of Mr. Blood House Bill No. 3, was read by its title and ordered to be printed.

Mr. Williams offered the following resolution

*Resolved* That the Secretary of State be authorized to solicit publications copies of digests codes reports of Supreme courts &c &c from authorities of other States of the Union to form the nucleus of a library for the use of the General Assembly of the State of Kansas

*Resolved* That he be authorized to take possession of all books which may have been donated heretofore for that purpose Adopted

Mr. Brown offered the following resolution

*Resolved* that we reconsider the vote on resolution adopted yesterday fixing the time of meeting of this House after recess, to the 4th day of July next during the pending of which on motion of Mr. Dickey

The House Adjourned

J. K. GOODIN *Ch'f Clk H. Rep.*

HOUSE OF REPRESENTATIVES

WEDNESDAY March 12, 1856

House met pursuant to adjournment

The Chaplain being absent prayer was dispensed with

Roll called and a quorum answered to their names Minutes read amended and approved

Mr. Hutchinson Chairman of the Select committee to assign the Governor's message reported as follows

"Your Committee to whom was referred the assigning of the message of the Governor beg leave to report as follows

Resolved That so much of the Governors message as relates to registration of electors returns of election and election of officers be referred to the committee on elections

So much as relates to the publication of laws to the committee on Printing

So much as relates to taking the census, Surveyor General State Geologist number of Senators and Representatives and apportionment to the Committee on Ways and Means

So much as relates to Salaries of Officers to the Committee on Accounts

So much as relates to a Superintendent of Common Schools, School fund—University Normals and Education to be referred to the committee on Education

So much as relates to the duties of Clerk and Reporter of Supreme Court, Publication of decisions of Supreme Court, Special Legislation enforcement of the 6th section of the Bill of Rights Judicial Districts and jurisdiction of Courts and securing the separate property and custody of children to the wife, to the Committee on Judiciary

So much as relates to State Asylums for blind &c, Houses for Juvenile offenders and State General Hospital &c to the Committee on Public Institutions

So much as relates to Banks and Banking to Committee on Corporations and Banking

So much as relates to finance and taxation to the Committee on Finance and taxation

So much as relates to Counties, County Town and City Officers to the Committee on Counties and County Lines

So much as relates to the sale and Use of Intoxicating Drinks to the committee on vice and Immorality

So much as relates to Bureau of Statistics and encouragement of Agriculture to the Committee on Agriculture

So much as relates to State Lands to the Committee on State Lands

So much as relates to apportionment to the Committee on apportionment

On motion of Mr. McClure the report was accepted and on motion of Mr. Hartwell was adopted

Mr. Edsall made the following motion which was carried

"That there be added to the Committee on New Counties and County Lines a sufficient number of members so that each each Senatorial District may be represented and that the additional members be selected from the districts not now represented in Said Committee

The resolution offered yesterday by Mr. Brown relative to the taking of a recess until the 4th day of July next being in order was taken up

Mr. McClure moved to strike out "4th day of July" and insert "1st day of September"

Mr. Orr, moved further to amend by adding after the word "September" the words "at 12 o'clock M."

On motion of Mr. Blood further consideration of the resolution was postponed until Saturday next

On motion of Mr. Hornsby

*Resolved* That C. E. Lenhart be admitted to a seat within the bar as reporter for the Kansas State Journal

Joint resolution relative to publication of records of the Executive Committee was in usual order read a second time and amended on motion of Mr Hartwell by striking out the words "ought to" House then adjourned until 2 o'clock P. M.

2 O'CLOCK P. M.

House met pursuant to adjournment

Roll called and a quorum answered to their names

#### MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to present the following abstract from the Senate Journal asking the concurrence of your body therein

*Resolved* The House concurring that the Senate will go into joint session this afternoon for the purpose of administering the oath of office to the Auditor of State

A. ALLEN *Sec. Senate*

On motion of Mr. Tuton the House concurred in the resolution

The hour having arrived the Senate appeared and the oath of office was by the President of the Senate administered to George A. Cutler Auditor of State

The business for which the joint session had met being finished the convention was on motion of Mr. Allen adjourned sine die

On motion of Mr. Hartwell *Resolved* That the rules be suspended in order that the joint resolution relative to the publication of the Journal of the Constitutional Convention and other documents may pass to a third reading

Yeas and Nays were taken and resulted Yeas 39 Nays 1, as follows

Yeas Mess. Arthur Abbott Blood Beyer Brown Bowen Barry Curtiss Cannon Crosby Cody Edsall, Frost Hartwell Hutchinson Hornsby Higgins Jameson Jones Landers Marshall McClure Murphy McGhee Orr Pennock Purdam Saunders Simmerwell Shores Stephens Sparks Tuton Tabor Toothman Todd Williams Walker and Zimmerman 39

Nays, Mr Reese 1.

On the adoption of the resolution the Yeas and Nays were ordered and resulted Yeas 43 Nays none

Yeas Mess. Arthur Abbott, Blood, Beyer Brown Bowen Barry Curtiss Cannon Crosby Edsall Frost Ferby Hartwell Hutchinson Hornsby Higgins Jameson Jones Landers Marshall McClure Murphy McGee Orr Pennock Purdam Reese Saunders Simmerwell Shores Stephens Sparks Tuton Tabor Toothman Todd Wade Williams Walker and Zimmerman 43

Nays none

On motion of Mr. Hutchinson the Clerk was ordered to communcate to the Senate the passage of the joint resolution

On motion of Mr. Orr the vote taken upon the resolution of Mr. Edsall relative to placing additional members on Committee on New Counties and County Lines was reconsidered

On motion of Mr. Hutchinson a special committee of one from each Sen-

atorial district not represented on Committee on new counties and County Lines the motion was withdrawn

House Bill No 3 entitled an act to incorporate the inhabitants of the City of Lawrence was on motion of Mr. Hutchinson was passed to a third reading Yeas 41 Nays none as follows.

Yeas Arthur Abbott Blood Beyer Brown Bowen Barry Curtiss Cannon Crosby Cody Dickey Edsall Frost Hartwell Hutchinson Higgins Jameson Jones Landers Marshall McClure Murphy McGhee Orr Pennock Purdam Reese Saunders Shores Simmerwell Stephens Sparks Tuton Tabor Toothman Todd Williams Walker Zimmerman 41.

Nays none

The Bill was then adopted on being read by its title

On motion of Mr. Hutchinson the Clerk was notified to inform the Senate asking their concurrence.

Mr. Frost of the Committee on Examination of Books and papers of Executive committee reported progress and asked leave to sit again

Leave was granted

Mr. Williams offered the following resolution

*Resolved* That the 42d rule of the "House Rules" be amended by adding after the words "five members each" excepting the Committee on Counties and County Lines which shall consist of one member from each Senatorial District After considerable discussion Mr. Tuton moved to lay the whole thing on the table motion carried

On motion of Mr. Hutchinson House adjourned until tomorrow morning at 10 o'clock

J. K. GOODIN *Chf Clk H. Rep.*

#### HOUSE OF REPRESENTATIVES

THURSDAY March 13. 1856

House met pursuant to adjournment

Roll called, a quorum answered to their names

Journal of yesterday read amended and approved Mr. Brown presented a memorial from 90 ladies of Lawrence praying the passage of Stringent prohibitory laws, in relation to the sale and use of intoxicating liquors as follows

*To the Honorable the Senate and House of Representatives of the State of Kansas*

The undersigned your memorialists citizens of Kansas and the wives and daughters of your constituents beg leave respectfully to present to your honourable body that in the opinion of your memorialists the public interest requires that suitable laws be immediately passed to prevent the manufacture and importation for sale or use as a beverage within the State of Kansas of any distilled or malt liquors.

It is not necessary for us in view of your own observations and the United testimony of all experience to enter into a minute discussion of the evils resulting to all classes of society from the use of intoxicating drinks as a beverage Ever since its first manufacture it has been the aim of legislators to pass restraining laws to prevent its abuse and each year and each year in the older the older States of the union new enactments have been found necessary until the Statute books have become literally loaded down with provisions on this subject It was not until within a few years that the true method was devised for its eradication and then those imaginary rights long established and entrenched behind the bulwarks of law and even of State constitutions were found in the way of an effectual remedy not so in Kansas Every thing is new and those privileges acquired by law and long established



customs do not exist no one can point to the precedent of several generations to sustain him in doing that which he frankly admits to be a wrong upon society

Here in Kansas we are laying the foundations of a new Society and you as the first law making power recognized by the people should examine with the greatest circumspection the evils existing in the older States and by wise and judicious enactments protect the moral and social interests of the community

You will not think to pass by enacting stringent laws for the sale of lottery tickets the selling of unwholesome food the adulterating of flour &c how then can you fail to give attention to a subject which impoverishes a whole nation brings wretchedness and misery in its train fills the land with mourning and sends the widows wail and orphans sob to heaven for relief

In view of the plastic material which you have the power to mould into form and clothe with lineaments and breath and in view of the great suffering entailed upon us as females of the State who are unable by persuasion and kindness to influence those we love in the channels which lead to temperance prosperity and happiness and in view of their oft repeated declarations that if the destroyer could be removed from their sight and reach they would abstain from its use we therefore urgently but respectfully pray you to take our memorial into consideration and enact such laws in consonance with its spirit which your wisdom may suggest

(signed) MARY ANN M. MANDELL  
and 89 others of the Ladies of  
Lawrence.

Referred to Committee on vice and Immorality

Committee on Militia reported back House Bill No. 4, with amendments

On motion of Mr. Hutchinson the bill was laid upon the table and ordered to be printed

The Special committee appointed to examine the books papers &c. of the Executive Committee submitted a report, which was received and referred to the Select committee

The Special committee to report resolutions on the death of Thomas W Barber reported as following

The Special committee to whom was referred the resolutions respecting the death of Thomas W. Barber beg leave to report as follows

WHEREAS Thomas W. Barber one of our most excellent and unoffending citizens was on the 6th day of December last brutally and cowardly murdered while peaceably and unarmed returning to his home from the city of Lawrence and Whereas we have reason to believe on good evidence that the murderer is an accredited agent an appointee of the President of the United States—is not only unapprehended by the Territorial authorities but is retained in office by the General Government

*Therefore Resolved*, That the President of the United States by continuing in office the murderer of the lamented Barber is hereby tacitly endorsing the criminal and is lending the weight of official influence in favour of those who not only contemn and despise order but who are destitute of even that small share of magnanimity and honor which is common to the assassin and highwayman

*Resolved* That in the exhibition of cowardly baseness shown in the murder of Mr. Barber there is presented the true spirit which has characterized the acts of the opponents of freedom in Kansas from its early settlement to the present time and add another proof that Slavery acknowledges no rights and shows no humanity when these stand in the path of its progress *Resolved* That in the death of Mr. Barber his family have lost an affectionate member and support society an efficient promotor of its welfare and the State of Kansas a citizen whose patriotic virtues have embalmed his memory in the hearts of its people

*Resolved* That a suitable monument be erected to the memory of the

deceased and that the people be invited to contribute liberally of their means for this purpose

*Resolved* that a copy of these resolutions be sent to the several newspapers of this State with a request that they be published and that a copy be forwarded to the widow of the deceased.

On motion the report was received and adopted.

Mr. Frost Chairman of the special committee on salaries of officers of the House reported as follows

The committee on Salaries of officers of this House beg leave to present the following

That the Speaker	shall receive	8 \$	pr day
" " Chief Clerk	" "	6 \$	" "
" " Asst. Clerk	" "	4 \$	" "
" " Transcribing and Assistant Transcribing Clerk shall receive		4 \$	" "
" " Sergeant at Arms and Assistant Sergeant at Arms shall receive		4 \$	" "
" " Door Keeper and Assistant Door Keeper shall receive		4 \$	" "
That the messenger and assistant messenger shall receive		1 \$	pr day
That the Chaplain shall receive		3 \$	pr day

We recommend a special appropriation for the Chief Clerk, for the first session as his labours have been and will be more arduous during the first session of the General Assembly possibly than at any future session

Respectfully submitted

W. R. FROST *Chairman*

#### MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform that the Senate have passed the following resolution and do respectfully ask the House of Representatives to concur therein

*Resolved*, The House concurring that the State Printer be authorized to publish fifteen thousand copies of the Constitution of the State of Kansas, The report of the Executive committee, The Journal of the Senate and House of Representatives to be bound in pamphlet form together with the Governor's messages

March 12. 1856.

Attest A. ALLEN *Sec. Senate*

Mr. Tuton moved a reference of the resolution to the committee on printing Motion lost. Mr. Walker moved the House concur—lost Mr. Hutchinson moved an amendment to strike out "15" and insert 5.—carried

The resolution as amended was adopted on motion of Mr. Toothman

On motion of Mr. Marshall the clerk was instructed to inform the Senate of the action of the House

#### MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform that the Senate have agreed to non-concur in the amendments of the House to Senate resolution relative to the appointment of a committee to codify the laws for the State of Kansas

Attest A. ALLEN *Clerk Senate*

On motion of Mr. Hutchinson the resolution was laid upon the table

#### MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform that the following joint resolution has passed the Senate and they would respectfully ask the concurrence of the House therewith

*Resolved* That no new business be taken up after today the 13th instant and that we take a recess on Saturday the 15th inst to meet on the 4th day of July next at 12 o'clock M.

attest A. ALLEN *Clerk Senate*

Mr. McClure moved to lay the resolution on the table—motion lost.

A second reading was called for, also a third reading, on motion of Mr. Walker the House concurred in the resolution

Mr. Dickey moved a reconsideration of the vote passed yesterday on resolution postponing the time of adjournment motion carried

Mr. Walker moved a suspension of the rules that the resolution might pass to a second and third reading.

Yeas and Nays being ordered resulted Yeas 35 Nays 8, as follows:—

Yeas Mess Arthur Abbott Beyer Bowen Barry Curtiss Cannon Crosby Cody Dickey Edsall Hornsby Higgins Jones Landers Mewhinney Murphy McGee Orr Pennock Purdam Reese Saunders Shores Simmerwell Sparks Tuton Tabor, Toothman Todd Wade Williams & Walker 35

Nays, Mess. Brown Frost, Hartwell Hutchinson Jameson McClure Stephens and Zimmerman 8.

So the rules were suspended

The question then was on the final passage of the resolution Yeas and nays being ordered resulted Yeas 35 Nays 8, as follows

Yeas Mess Arthur Abbott Beyer Bowen Barry Curtiss Cannon Crosby Cody Dickey Edsall Hornsby Higgins Jones Landers Mewhinney Marshall Murphy McGee Orr Pennock Purdam Reese Saunders Simmerwell Shores Sparks Tuton Tabor Toothman Todd Wade Williams and Walker 35

Nays Mess Brown Frost Hartwell Hutchinson Jameson McClure Stephens and Zimmerman 8

So the joint resolution passed

On motion of Mr. Walker House adjourned until tomorrow morning at 9 o'clock

J. K. GOODIN *Ch'f Cl'k H. Rep.*

#### HOUSE OF REPRESENTATIVES

FRIDAY March 14. 1856.

House met pursuant to adjournment

Prayer by the Chaplain

Roll called 41 members answered to their names

Journal of yesterday read and approved

#### MESSAGE FROM THE SENATE

MR. SPEAKER The Senate have had under consideration House Bill No. 1, entitled an act defining certain duties of the Auditor of State and authorizing the Governor to employ a messenger and report the following amendments

Relative to the Title

Relative to the 3d Section

On motion of Mr. Edsall the House receded from the former amendments to resolution for the appointment of a committee to codify the laws, whereupon the same gentleman offered the following resolutions

Joint resolutions concerning the appointment powers and duties of a codifying committee

*Resolved* That a committee of five be appointed by the Senate to act in conjunction with a committee of fifteen from the House whose duty it shall be to frame and draft a code of laws for the State of Kansas and to report the same to the General Assembly on the 4th day of July next or as soon thereafter as may be

*Resolved* That said committee are hereby instructed to proceed in preparing said code of laws during the recess of the first General Assembly which commences on the 15th day of March and continues until the fourth day of July next A. D. 1856.

*Resolved* that said committee be and are hereby authorized to rent such rooms and to provide themselves with all papers books stationary furniture fuel lights &c. that may be necessary for the convenient prosecution of their labors and that all reasonable charges for the [same] shall be audited by the State

*Resolved* that said committee are hereby authorized to employ one door-keeper and all necessary clerks not to exceed eight in number and that the same shall be entitled to receive the same per diem that corresponding officers of the General Assembly receive

*Resolved* That members of said committee shall be entitled to receive for their services the sum of 4\$ pr day for each and every day actually devoted to services on said committee

*Resolved* That all reports agreed to by said committee be and are hereby ordered to be printed in Bill form and that a file prepared of said reports in their numerical order for each member of the General Assembly the Governor and heads of departments of this State

*Resolved* That said committee shall have power to divide their labour into as many distinct branches as the subject may require and that each branch may be assigned to sub-committees appointed by the codifying committee from among their own number, whose duty it shall be to report, in bill form to the codifying committee upon the subject respectively assigned to them the said Sub committees shall have power to sit at any place they may deem most convenient while engaged in investigating the subject respectively assigned to them Mr. Pennock moved that the blank be filled by inserting \$5 five dollars per day which was lost

On motion of Mr. Hutchinson (4) four dollars per day was inserted. On motion of Mr. Williams the words "Sergeant at Arms" was stricken out

The 1st. 2d. 3d. 4th. 5th. 6th sections were adopted. a motion by Mr. McClure to amend the 4th section by striking 8 and insert 3 was lost

On motion of Mr. Tuton the 7th Section was amended by adding the following "provided there shall always be 11 members at Topeka the seat of government."

The section as amended was adopted

The Yeas and Nays being ordered resulted Yeas, 38 Nays 0, as follows,

Yeas, Mess. Arthur Abbott Brown Bowen Barry Curtiss Cannon Crosby Cody Dickey Edsall Frost Hartwell Hutchinson Hornsby Higgins Jameson Jones Landers Mewhinney Marshall McClure McGee Pennock Purdam Saunders Simmerwell Shores Stephens Sparks Tuton Tabor Toothman Todd Wade Williams Walker 37 Nays 0

The Chair appointed the following gentlemen on said committee

Mess Hutchinson Hornsby Pennock Frost Tuton Edsall Jameson Zimmerman McClure Hartwell Curtiss Dickey Blood Brown and Arthur

On motion of Mr. Brown the following resolution was adopted

*Resolved* that Mr. E. B. Whitman who now engaged in preparing a practical map of this State for the settlers and emigrants be permitted to avail himself of the information to be obtained by Mr. A. D. Searl at the Land office for the use of the committee on new counties and county lines



Mr. Stephens called up House Bill No. 4. on militia On motion of Mr. Purdam, further consideration of the bill was postponed until the 10th day of July next

Mr. Hutchinson called up Senate bill No. 2. establishing the salaries of State officers and officers of the General Assembly and on motion of the same gentleman the House went into the committee of the whole to consider it

Sec. 1st. Salary of the Governor. Mr. McGhee moved to strike out 3000 (three thousand) and insert 1500 (fifteen hundred)

Mr. Walker moved to strike out 3000 (three thousand) and insert 1000 (one thousand) motion lost.

Mr. Gee's amendment was adopted

Sec. 2. Salary of Sec of State on motion of Mr. Walker 1800 (eighteen hundred) was stricken out and 1000 (one thousand) inserted

Sec. 3. Auditor of State Mr. Walker moved to strike out 1800 (eighteen hundred) was stricken out and insert 900 (nine hundred) was lost

Mr. Stephens moved to insert 1000. which was adopted

Sec. 4. State Treasurer On motion of Mr. Hutchinson 1800 (eighteen hundred) was stricken out and 1000 (one thousand) inserted in its place

Sec. 5. Private Secretary to the Governor. Mr. Cannon moved to strike out 800 (eight hundred) and insert (400) four hundred was lost.

On motion of Mr. Hutchinson 500 (five hundred) was inserted

Sec. 6. Chief Clerk in Secretary of State's office on motion of Mr. McGee, 1,200 (twelve hundred) was stricken out and 600 (six hundred) inserted

Sec. 7. The Chief Clerk in Auditors department On motion of Mr. Stephens 1200 (twelve hundred) was stricken out and 600 six hundred inserted

Sec. 8. The Clerk of Treas of State. On motion of Mr. Walker 1,200 (twelve hundred) was stricken out and 600 (six hundred) inserted

Sec. 9th. Attorney General On motion of Mr. Hutchinson 2000 (two thousand) was stricken out and 1,000 (one thousand) inserted

Sec. 10th. Judge of Supreme Court. On motion of Mr. Brown, 2000 (two thousand) was stricken out and 1000 (one thousand) inserted

Sec. 11th. Clerk of Supreme Court On motion of Mr. Hutchinson \$1,500 (fifteen hundred) was stricken out, and the words "fees regulated by law" inserted

Sec. 12th. Reporter of Supreme Court. On motion of Mr. Hornsby \$1000 was stricken out and the words "rates hereafter established by law" inserted

Sec. 13th. 14th. 15th. and 16th were adopted

Mr. Abbott moved, to amend Sec. 15th, by striking out \$4 pr day and insert \$5. pr day motion lost

Sec. 17th on motion of Mr. Abbott was amended by strik'g out \$8 and inserting \$6

Sec. 18. Salary of Chaplain On motion of Mr. Curtiss was amended by striking out \$4 and inserting \$3

Sec. 19. Salary of Governor's messenger. on motion of Mr. McGee was amended by striking out \$400 and inserting \$200

Sec. 20. Sergeant at Arms on motion of Mr. Walker \$6 was stricken out and \$4 inserted

Sec's 21. 22 & 23 were adopted

On motion of Mr. Walker the committee rose and reported the Bill back with amendments also a message from the Senate

On motion of Mr. Hartwell the rules were suspended, and bill passed to a second reading Yeas 38 nays none Yeas and nays being ordered resulted Yeas 38 nays none as follows

Yeas Mess Arthur Abbott Beyer Brown Bowen Barry Curtiss Cannon Crosby Cody Dickey Edsall Frost Hartwell Hutchinson Hornsby Higgins Jameson Jones Landers Mewhinney Marshall McClure Murphy McGee Orr, Pennock, Purdam Saunders Simmerwell Shores Sparks Tabor Toothman Todd Williams Walker and Zimmerman

On its final passage Yeas and Nays being ordered resulted Yeas 32 Nays 5, as follows.

Yeas Mess. Arthur Brown Bowen Curtiss Cannon Crosby Cody Dickey Edsall Frost Hartwell Hutchinson Higgins Jameson Jones Landers Mewhinney McClure McGee, Orr Pennock Purdam Saunders Simmerwell Shores Stephens Sparks. Tabor. Todd Williams and Walker 32

Nays Mess. Abbott Beyer Barry Toothman and Zimmerman 5.  
So the bill passed

The bill was then read by its title and adopted Mr. Tabor offered the following resolution which was decided out of order

*Resolved* That we request the condifying committee to take into consideration the importance of a law prohibiting Hogs from running at large in the State of Kansas.

The following message was received from the Senate

MARCH 14th. 1856

MR. SPEAKER. I have the honor to inform that the Senate have past following concurrent resolution

*Resolved* The House of Representatives concurring that the treasurer of the Executive Committee report to the legislature at as early a period as possible the amount of certificates of indebtedness by him countersigned The amount of such certificates if any yet remaining in his hands and such other information as he may be in possession of in relation to this subject

A. ALLEN *Chief Clerk Senate*

Resolution was concurred in by the House

The following message was received from the Senate

MESSAGE FROM THE SENATE

MARCH 14. 1856.

MR. SPEAKER I have the honor to inform that the Senate have passed the following joint resolution and would respectfully ask the house to concur therein

JOINT RESOLUTION, Rleative to fixing the compensation of the commissioners to codify the practice &c.

*Resolved* By the Senate. the House of Representatives concurring that the commissioners to codify the practice pleadings &c. be allowed the sum of six (\$6-) pr day for each day actually employed and that they be instructed to employ such number of Clerks as they may deem requisite and that the necessary expenses for office rent fuel lights stationary postage &c be allowed them during the time they are actually employed in the business of their office

A. ALLEN *Chief Clerk Senate*

Mr. Zimmerman moved to insert not more than three Clerks motion lost.

Mr. Toothman moved to lay the message on the table motion lost

A motion to adjourn was lost.

On motion of Mr. Tuton the resolution was amended by striking out 6. and inserting 4.

Mr. Zimmerman moved to further amend by inserting not more than three Clerks each to receive the same compensation allowed the Clerks of the codifying committee pending which the house adjourned until 2 o'clock P. M.

2 O'clock P. M.

Met pursuant to adjournment 33 members present. Mr. Zimmermans amendment first in order

On motion of Mr. Frost it was amended so as to read "the clerks to receive \$4— per day"

On motion of Mr. McClure the word instructed was stricken out, and the word authorized inserted The resolution as amended was adopted

House bill No. 1, defining certain duties of the Auditor of State was then taken up. Yeas and nays being ordered resulted Yeas 35 nays 0 as follows

Yeas Mess Abbott Arthur Beyer Brown Bowen Barry Cannon Crosby Cody Dickey Edsall Frost, Hartwell Hornsby Hutchinson Jameson Jones Landers Mewhinney McClure Murphy McGhee Purdam Saunders Shores Stephens Sparks Tuton Tabor Toothman Todd Wade Williams Walker and Zimmerman 35

Nays none. so the bill was passed

The bill was then read by its title and adopted

The following message was received from the Senate

#### MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform that the Senate have passed the following joint resolution and a concurrent resolution and respectfully ask the House of Representatives to concur therewith

*Resolved* The House concurring that the committee to codify the laws during the recess of the Legislature shall be allowed the sum of six (6) dollars pr day for each days actual employment and they be instructed to employ such number of clerks as they may deem requisite—that the necessary expenses for fuel lights stationary postage be allowed them during the time they are actually employed

March 13th, 1856.

Attest A. ALLEN *Clk Senate*

On motion of Mr. Edsall it was laid on the table

The following joint resolution was received from the Senate and concurred in

*Resolved* The House concurring that the Secretary of State be requested to solicit donations of books records and documents relative to laws &c. from the various States and from the General Government for the use of the department of State and the Legislature of Kansas

March 13, 1856

Attest A. ALLEN *Sec of Senate*

On motion of Mr. Hutchinson the vote was reconsidered

On motion of Mr. Hartwell the resolution was laid on the table

The following message from the Senate was read and on motion of Mr. Edsall laid upon the table

MARCH 14th, 1856

MR. SPEAKER I have the honor to inform, that the following resolution has passed the Senate and they would respectfully ask the House to concur therein

Joint resolution relative to fixing the compensation of the committee to codify laws &c.

*Resolved*, By the Senate the House of Representatives concurring that the committee to codify the laws during the recess of the Legislature shall be allowed the sum of (\$5) five dollars pr day for each day actually employed and that they be instructed to employ such number of clerks as they may deem requisite That the necessary expenses for fuel lights stationary and postage be allowed them during the time they are actually employed

A. ALLEN *Chf. Clerk Senate*

The following messages from the Senate were concurred in.

MESSAGE FROM THE SENATE

MARCH 14, 1856

MR. SPEAKER I have the honor to inform that the Senate have passed the following resolutions and do respectfully ask the House to concur therewith

*Resolved* The House concurring that the Secretary of State shall be directed to procure three certified copies of the Constitution of the State of Kansas one of which shall be deposited in his office one delivered to J. H. Lane and the other one forwarded to A. H. Reeder Senators elect for the State of Kansas

A. ALLEN *Chief Clerk of Senate*

MESSAGE FROM THE SENATE

MARCH 14, 1856

MR. SPEAKER I have the honor to inform that the Senate have passed the following concurrent resolution and respectfully ask that the House shall concur therewith

*Resolved* That the House concurring the Secretary of the Senate and Clerk of the House be authorized to complete such unfinished business—at the same per diem—as they may have on hand when the Assembly adjourns to meet on the 4th day of July after such recess.

A. ALLEN *Chief Clerk Senate*

On motion of Mr. Hutchinson the House resolved to non-concur in joint resolution relative to the appointment of a codifying committee and a committee of conference was appointed

The Speaker announced Mess. Hutchinson Frost and Pennock as said committee

Mr. Tuton offered the following joint resolution

*Resolved by the General Assembly of the State of Kansas* that all state and judicial officers whose salaries may have been fixed by law shall not receive their salaries until such time as they actively enter upon the discharge of their several offices

On motion of Mr. Hartwell to suspend the rules the yeas and nays being ordered resulted as follows Yeas 6 Nays 29

Yeas Mess Bowen Cannon Dickey Hartwell McGee and Tuton 6.

Nays Mess Arthur Abbott Beyer Brown Barry Crosby Edsall Frost. Hutchinson Hornsby Jameson Jones Mewhinney Marshall McClure Pennock Purdam Saunders Simmerwell Shores Stephens Sparks Tabor Toothman Todd, Wade, Williams Walker and Zimmerman 29

So the motion was lost.

House bill No. 2. entitled an act providing for the payment of certificates



of indebtedness issued by the Executive Committee of Kansas came upon its final passage.

Yeas and Nays being ordered resulted Yeas 35 Nays 0 as follows.

Yeas Mess Arthur Abbott Beyer Bowen Brown Barry Cannon Dickey Edsall Frost Hartwell Hutchinson Hornsby Jameson Jones Landers Me-whinney Marshall McClure Murphy McGee Pennock Purdam Saunders Simmerwell Stephens Sparks Tabor Toothman Todd Wade Williams Walker and Zimmerman 35.

Nays.

So the bill was passed.

The bill was read by its title and on motion of Mr. Tuton amended by adding the word "Territory" and adopted.

Senate bill No 5 entitled an act for the encouragement of agriculture in the State of Kansas was read and on motion of Mr. Edsall was laid upon the table and ordered to be printed

Senate bill No. 7, entitled an act defining the duties of the State Printer was read and on motion of Mr. McClure referred to the committee on Printing Senate Bill No 8, entitled an act establishing the price of public printing was on motion of Mr. Brown referred to Committee on printing with instructions to report tomorrow— On motion of Mr. Saunders the House took a recess for 15 minutes . . . . .

Mr. Frost offered the following resolution which was adopted

*Resolved* That the first Clerk be allowed two dollars pr day in addition to his fixed per diem for services rendered this session.

On motion of Mr. Hutchinson House adjourned until 7½ o'clock this evening

7½ o'clock .P. M.

Your committee appointed to confer with a committee of the Senate on the joint resolution considering the appointment powers and duties of a codifying committee have agreed to and beg leave to submit the following report

*Resolved 1st.* That a committee of five be appointed from the Senate to act in conjunction with a committee of fifteen from the House whose duty it shall be to frame and draft a code of laws for the State of Kansas and report the same to the General Assembly on the 4th day of July 1856, or as soon thereafter as may be

*Resolved 2d,* That said Committee is hereby instructed to proceed in preparing said code of laws during the recess of the first General Assembly which commenced on the 15th day of March and continues until the 4th day of July A. D. 1856.

*Resolved 3d* That said Committee be and are hereby authorized to rent such rooms and to provide themselves with all papers books stationary fuel lights &c. that may be necessary for the convenient prosecution of their labors and that all reasonable charges for the same shall be audited by the Auditor of State

*Resolved 4th* That said committee are hereby authorized to employ one Sergeant at Arms and all clerks not to exceed eight in number and the same shall be entitled to receive \$5,—for every day actually devoted to services on said committee

*Resolved 5th,* That the members of said committee shall be entitled to receive for their services the sum of 5\$—for every day actually devoted to services on said committee

*Resolved 6th.* That all reports agreed to by said committee be and are hereby ordered to be printed in bill form and that a file be prepared of said

reports in their numerical order for each member of the General Assembly the Governor and heads of departments of state and fifty additional copies for the use of the committee

*Resolved 7th.* That the meetings of said codifying committee shall be holden at Topeka the temporary seat of Government

W. R. FROST, *Chairman*

The report was accepted and adopted

Senate bill No. 6, was passed

Yeas and Nays as follows Yeas 38 Nays 0. on suspending the rules— as follows.

Yeas Mess Arthur Abbott Blood Brown Bowen Barry Curtiss Cannon Crosby Cody Dickey Edsall Frost Hartwell Hutchinson Hornsby Higgins Jameson Jones Landers Mewhinney Marshall McClure Murphy McGee Orr, Pennock Purdam Saunders Simmerwell Shores Sparks Tabor Tuton Todd Wade Williams Walker and Zimmerman 38

Nays 0.

So the rules were suspended

On the passage of the bill Yeas and Nays being ordered, resulted Yeas 36 Nays 0

Yeas Mess Arthur Abbott Beyer Brown Bowen Barry Curtiss Cannon Crosby Cody Dickey Edsall Frost Hartwell Hutchinson Hornsby Jameson Jones Landers Mewhinney Marshall Murphy McClure McGee, Orr Pennock Purdam Saunders Simmerwell Shores Sparks Tabor Todd Tuton Wade Williams Walker Zimmerman and Speaker 36.

So the Bill passed

The bill was then read by its title and adopted.

Mr. Tuton Chairman of committee to prepare a memorial to the President of the United States made the following report

See page——[not incorporated in the Journal]

On motion of Mr. McClure, the report was accepted

Mr. Zimmerman presented a report on Ex. Com'e which was withdrawn

On motion of Mr. Frost adjourned until tomorrow morning 9 o'clock.

J. K. GOODIN *Ch'f Cl'k H. Rep.*

#### HOUSE OF REPRESENTATIVES

SATURDAY March 15, 1856

House met pursuant to adjournment the Speaker in the Chair.

Prayer by the Chaplain

Journal of yesterday read amended and approved

Mr. Frost Chairman of committee on printing reported back Senate bill No. 8, as follows.

Your committee to whom was referred Senate bill No. 8, report the same back to the House with sundry ammendments and reccommend its passage.

Sec. 1. Strike out the words "one dollar and fifty cents" and insert the words "one dollar" In the 4th line of said Sec. Strike out the words "Two dollars" and insert the words "One dollar and fifty cents

also the addition of a section as follows

Sec. 2. This bill may be repealed by this or any subsequent Legislature

W. R. FROST, *Chairman*

The report was accepted

## MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform that the Senate have agreed to nonconcur in the House amendments to Senate bill No. 2, regulating the salaries of State officers &c. and ask a committee of conference  
Senate Committee

Updegraff  
Harding  
Adams  
A. ALLEN *Sec. Senate*

March 15th, 1856

Mess Edsall Orr and Todd were appointed as the committee to confer with the Senate committee

On motion of Mr. Beyer the committee were granted leave of absence

On motion of Mr. Stephens the rules were suspended that the bill might be read a third time Yeas and Nays being ordered resulted Yeas 35 Nays 0 as follows

Yeas Mess. Abbott Arthur Beyer Brown Bowen Barry Curtiss Cannon Crosby Cody Dickey Frost Hartwell Hornsby Jameson Jones Landers Mewhinney Marshall Murphy McGee Pennock Purdam Reese Saunders Simmerwell Shores Stephens Sparks Tuton Tabor Toothman Wade Williams and Zimmerman 35.

On motion of Mr. Brown the House went into committee of the whole to consider the bill Mr. Beyer in the chair

On motion of Mr. Stephens the following amendment was adopted

"This act shall take effect from and after its passage

Mr. Hartwell moved to strike out the amendment, reported by the committee adding the 2d. section carried

On motion of Mr. Williams the committee rose and reported the bill back with amendments

On motion of Mr. Tabor, the House concurred in the amendments

The bill was then read and passed as follows. Yeas 35 Nays 0, as follows

Yeas Mess Arthur Abbott Beyer Brown Bowen Barry Curtiss Cannon Crosby Cody Dickey Frost, Hartwell Hutchinson Hornsby Jameson Jones Landers Marshall McClure Murphy McGee Pennock Purdam Reese Saunders Simmerwell Shores Sparks Tuton Tabor Toothman Williams Walker Zimmerman 35.

The bill was then read by its title and adopted

Senate bill No. 3. was then taken up, and on motion was laid on the table

Mr. Hutchinson Chairman of committee to prepare a memorial to Congress made a report which on motion of Mr. Tuton was accepted on motion of the same gentleman the rules were suspended to pass the memorial to a second reading Yeas, and Nays on suspending the rules being ordered resulted Yeas 36, Nays 0.

Those voting in the affirmative are Mess Arthur Abbott Beyer Brown Bowen Barry Curtiss Cannon Crosby Cody Dickey Frost Hartwell Hornsby Jameson, Jones Landers Mewhinney Marshall Murphy McGee Pennock Purdam Reese Saunders Simmerwell Shores Stephens Sparks Tuton Tabor Toothman Wade Williams Zimmerman 35

On motion of Mr. Curtiss House went into committee of the whole to consider the memorial to congress

Mr. Tuton in the Chair

On motion of Mr. Saunders the Committee rose and reported back the memorial without amendments

The following message was received from the Senate and read.

MR. SPEAKER I have the honor to inform you that the Senate have adopted the report of the committee on conference—for codify the laws.

On motion of                the report of the committee of the whole was adopted  
Mr. McClure offered the following resolution

*Resolved* By the House the Senate concurring that two copies of the memorial to Congress and the President be prepared, one copy of each to be given to J. H. Lane the other to be forwarded to A. H. Reeder, by the Sec'y of State

Mr. Hornsby moved to amend by adding that 500 copies be ordered for the use of the House and one copy forwarded to each Governor of the several States which amendment was accepted

Mr.                moved to further amend by striking out two and inserting 3 and after the name of A. H. Reeder the name of Mark W. Delahay which was accepted and the resolution as amended was adopted

The following message was received from the Senate

MR. SPEAKER I have the honor to inform that the Senate have passed House Bill No. 2. with amendments which they submit to your body for consideration

House Bill No. 2. then came upon its final passage Yeas 22 Nays 13  
As follows

Yeas Arthur Beyer Brown Bowen Barry Cannon Cody Dickey Frost Jameson Jones Landers McGee. Pennock, Purdam Reese Simmerwell Shores Stephens Sparks Walker and Zimmerman 22

Nays Mess. Abbott Curtiss Crosby Hartwell Hornsby Mewhinney Marshall McClure Murphy Saunders Tabor Toothman and Williams 13

On motion of Mr. Dickey the vote on House bill No 2 was reconsidered

The question will the House concur in the amendments, of the Senate was then put and decided carried

A division was called for, and the chair decided it carried by a vote of 21 to 16

#### A MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform that the Senate has concurred in the third amendment of the House of Representatives to Senate bill no 8. entitled "An act regulating the price of public printing" and that the Senate has concurred in the 1st and 2d amendments in which the concurrence of the House of Representatives is requested

Sec. —1st. Strike out of the House amendment "one dollar" and insert the words "one dollar and twenty five cents"

2d Strike out the words one dollar and fifty cents and insert the words one dollar and seventy five cents in the 2d House amendment

Mr. Pennock Chariman of a special committee on Printing made a report which on motion of Mr. Stephens was accepted, and on motion of same gentleman the rules were suspended to pass the bill to its                reading  
Yeas and Nays on suspending the rules resulted Yeas 38. Nays 0, as follows

Yeas Mess. Arthur Abbott Beyer Brown Bowen Barry Cannon Crosby Cody Dickey Frost Hartwell Hornsby Jameson Jones Landers Mewhinney Marshall McClure Murphy McGee Orr Pennock, Purdam Reese Saunders



Simmerwell Shores Stephens Sparks Tuton Tabor Toothman Todd Wade Williams Walker and Zimmerman 38.

On its final passage Yeas and Nays being ordered resulted Yeas 38, Nays 0, as follows

Yeas Mess Arthur Abbott Beyer Brown Bowen Barry Curtiss Cannon Cody Dickey Frost Hartwell Hornsby Jameson Jones Landers Mewhinney Marshall McClure Murphy McGee Orr, Pennock Purdam Reese Saunders Simmerwell Shores Stephens Sparks Toothman Tabor Tuton Todd Wade Williams Walker and Zimmerman 38

Nays 0.

The following message was received from the Governor

*To the Senate & House of Representatives*

GENTLEMEN I have this day approved of and signed House bill No. 1, entitled an act "defining certain duties of the auditor of State

(Signed) C. ROBINSON

EXECUTIVE OFFICE March 15, 1856

Governor State Kansas

On motion of Mr. Frost the House adjourned until 2 o'clock.

2 o'clock P. M.

Met pursuant to adjournment 38 members present Mr. Edsall chairman of committee to confer with a similar committee from the Senate on Senate bill No. 2. entitled an act establishing the Salaries of the State officers and officers of the General Assembly made a report which was accepted on motion of Mr. Saunders

On motion of Mr. Hutchinson the House resolved to non concur in the report and referred back to the same committee with instructions to raise the salary of the Judges of the Supreme Court to 2000\$ each On motion of same gentleman the committee had leave of absence

Mr. Frost Chairman of Committee to investigate the affairs of the Executive Committee presented the following report

On motion of Mr. Simmerwell the report was accepted

•The committee to whom was referred the report of the chairman Secretary and treasurer of the Executive Committee the examination of the books papers &c belonging to the office of the same and to confer with the Executive Committee as per your instructions beg leave to submit the following report

We find that a regular concise and creditable record of the meetings of the Committee have been kept by the Secretary of the committee giving the rise cause and progress of the organization from the first movement made by the people of Kansas, copies of all the proclamations issued of the same

The formation of precincts, the canvassing of the territory for the special and several elections. The form of poll books, tally lists instructions to judges of elections apportionment certificates commissions &c &c. are all recorded and reflects great credit both upon the industry and ability of the committee and as a matter of record will be looked to with much interest

The results of the votes for members of the constitutional convention The vote on the adoption of the constitution, The General Banking Law clause and Black law propositions together with the vote for State officers and members of the General Assembly are in the Executive office or laid before the House of Representatives

The correspondence of the Executive Com'e and papers of a miscellaneous nature were made subject to our examination and the papers of the office have all been kept in good order and at all times open to inspection

Upon examination of the records together with what information we could obtain we are led to believe that a certified manuscript copy of the

constitution of Kansas has been but recently forwarded to Congress Any seeming dereliction on the part of the Executive Committee can be readily overlooked by us when we take into consideration the fact of invasion from the border immediately after the adoption of the Constitution and other troubles and business which demanded their attention

Your committee feel proud in reporting that the business of the provisional government so far as we can ascertain has been conducted in a prudent judicious economical and masterly manner Ever step seems to have been guarded Every thing which could be done for the success of the State government even to the most minute detail will bear the scrutiny of the most incredulous and we cannot but be greatful for the efficient and valuable services performed for us by the Executive Committee of Kansas Territory

Under clause of the schedule attached to the Constitution empowering the Executive Committee to issue certificates of indebtedness for the legitimate expenses

Necessary for the formation of the State government to the amount not exceeding \$25,000—

Your committee find that certificates of indebtedness have been issued by the Executive Committee to the amount of \$12,455.80 for which vouchers are on file in the Secretary's office as follows.

For Printing and Stationary to Sundry Persons	3.193.95	
For Pay of members and officers of the Constitution		
Conv'n	5.070.35	
For expenses of elections		
For carrying poll books,		
pay of judges &c	1.468.78	
For office expenses		
For Executive Committee	324.72	
Amount to members of the Executive Committee as		
part pay for services viz		
- To J. H. Lane	\$200 —	
" J. K. Goodin	\$200 —	
" G. W. Brown	\$50 —	
" C. K. Holliday	100 —	
" G. W. Smith	200 —	\$750 —
For Assistant Secretary to Executive Committee—		
To S. C. Smith	\$28 —	
" E. C. K. Garvey	\$20 —	
Amounts paid to agents to the States		
To J. H. Lane	\$200 —	
" Morris Hunt	\$200 —	
" G. W. Smith	\$200 —	
" S. C. Smith	\$200 —	
" Turner Sampson	\$200 —	
" M. F. Conway	\$200 —	
" J. S. Emery	\$200 —	
" A. H. Mallory	\$200 —	\$1,600 —
		\$12,455.80
Amt issued for which there are no bills on file		\$ 2,600. —
Showing whole amount of issues agreeable to record		\$15,055.80
From this amount deduct the amount in the hands of the		
treasurer not countersigned agreeable to his report	\$ 1,800 —	
Amt of scrip in circulation		13,255.80

All of which is respectfully submitted

W. R. FROST. *Chm'n*

On motion of Mr. Toothman the report was adopted

#### MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform that the Senate have passed a concurrent resolution in reference to memorializing Congress and ask your concurrence in the same

*Resolved* That the House concurring the memorials to Congress and to the President be referred to a select joint committee composed of three

members from each house with power in said joint committee to correct or Change the phraseology to have three written copies of such prepared and one of each forwarded to our Senators and Representatives to Congress, and a printed copy furnished to the Governor of each State signed by the officers of the General Assembly and by the Governor and Secretary of State

A. ALLEN *Chief Clerk Senate*

The message was accepted and motion of Mr. Stephens the Rules were suspended. Yeas and Nays being ordered resulted Yeas 38 Nays 3 as follows:

Yeas Mess Arthur Abbott Blood Beyer Brown Bowen Barry Curtiss Cannon Crosby Cody Dickey Edsall Frost Hutchinson Hornsby Higgins Jameson Jones Landis Mewhinney Marshall McClure Murphy McGee Pennock Purdam Reese Saunders Simmerwell Shores Stephens Sparks Tabor Toothman Todd Williams and Walker 38

Nays Mess Orr, Tuton and Zimmerman 3

On motion of Mr. Hartwell the message was laid upon the table

The following message from the Senate was then read

Senate would not adopt report of committee of conference on Senate Bill No. 2. entitled an act establishing the salaries of State officers &c and appointed another committee of conference and ask the House to appoint a like committee

Senate committee Mess Allen Harding Fuller

Attest A. ALLEN *Secy*

House appointed Mess Hutchinson McClure and Dickey committee on the part of the House to confer with the committee of the Senate

#### MESSAGE FROM THE GOVERNOR

*To the Senate and House of Representatives*

GENTLEMEN I have this day approved and signed the following bills Senate Bill No. 4. entitled "an act concerning elections" also Senate bill No. 7. entitled an act defining the duties of State Printer"

EXECUTIVE OFFICE March 15, 1856.

C. ROBINSON *Governor &c.*

A motion to take a recess for 15 minutes was lost

Mr. Hartwell moved to reconsider the vote on Senate bill No. 5. "an act for the encouragement of Agriculture—motion lost

On motion of same gentleman a recess of 15 minutes was taken

After recess on motion of Mr. Tuton House bill No. 2. was taken up and on motion of the same gentleman the rules were suspended and the Bill passed to its third reading Yeas and Nays being ordered resulted Yeas 28 Nays 6 as follows

Yeas Mess Abbott Beyer Brown Bowen Barry Cannon Crosby Edsall Frost Hornsby Jameson Jones Landers Mewhinney Murphy McGee Pennock Purdam Reese Saunders Simmerwell Shores Sparks Tuton Tabor Todd Williams Zimmerman 28

Nays Mess. Arthur Blood Cody Orr Toothman and Walker 6

On motion of Mr. Brown the House went into committee of the whole to consider Senate Bill No. 5. Mr. Orr in the Chair

The Committee rose and reported the bill back to the House with one amendment

The Yeas and Nays on its final passage being ordered resulted Yeas 38 Nays 0, as follows

Yeas Mess Arthur Abbott Blood Beyer Brown Bowen Barry Curtiss

Cannon Crosby Cody Dickey Edsall Frost Hartwell Hornsby Jones Landers Mewhinney Marshall McClure Murphy McGee Orr, Pennock Purdam Reese Saunders, Simmerwell Shores Sparks Tuton Tabor Toothman Todd Williams Walker and Zimmerman

The bill was then read by its title and adopted

MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform that the Senate have concurred in the amendments of the House to Senate bill No. 5. entitled an act for the encouragement of Agriculture in the State of Kansas

March 15. 1856

A. ALLEN *Sec'y*

Mr. Edsall Chairman of committee of conference reported that they could not act not being instructed

On motion they were discharged

On motion of Mr. Hartwell a committee of 3 was appointed to revise and correct memorial—acting in concert with a similar committee from the Senate

The Chair appointed on said committee Mess Curtiss Hornsby & Hartwell

Leave of absence was granted to the committee

MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform that the Senate have passed the following concurrent resolution and ask the House to consider the same

*Resolved* the House concurring that the treasurer of the late Executive Committee of Kansas Territory be directed to deliver to the auditor of State the Eighteen Hundred dollars of Scrip in his hands not countersigned and to which reference is made in his report to the Senate and that the auditor be directed to record the fact and destroy the Scrip

March 15. 1856

A. ALLEN *Sec. Sen.*

Resolution concurred in by the House

On motion of Mr. Williams the bill was taken up by Sections

1st Section adopted Yeas 23. Nays 18

Yeas Abbott Blood Beyer Bowen Cannon Cody Dickey Frost Jones Landers Marshall Murphy McGee Purdam Pennock Saunders Simmerwell Sparks Tuton Todd Wade Walker Zimmerman 23.

Nays Arthur Brown Barry Curtiss Crosby Edsall Hartwell Hornsby Hutchinson Jameson McClure Mewhinney Orr Reese Shores Tabor Toothman Williams 18

Committee Mess Hutchinson Curtiss and Brown

Senate Bill No. 8. reported with amendments which were concurred in by the House

Mr. Hutchinson chairman of committee on conference made a report which was accepted and on motion of Mr. Williams adopted

Adjourned until 7 o'clock P. M.

MARCH 15th, 1856 EVENING SESSION

Met pursuant to adjournment On motion of Mr. Frost the House took a recess for one hour

The following resolution was adopted on motion of Mr. Cannon

WHEREAS H. B. Staniford member elect of this House was here on the day of organization of the General Assembly and refused to take the oath



of office Therefore *Resolved* that the seat of said representative be declared vacant

On motion of Mr. Zimmerman a committee of three was appointed to confer with a similar committee from the Senate on the Senate Bill No 2 relating to salaries of State officers

The Chair appointed Mess Zimmerman Jameson and Pennock as said committee

The following messages were received from the Senate

MR. SPEAKER I have the honor to inform you that the Senate have agreed to House amendments to Senate bill No. 8, entitled an act regulating the price of Public Printing

March 15. 1856

Attest A. ALLEN *Sec*

MR. SPEAKER I have the honor to inform you that the Senate have adopted the report of conference committee to whom was referred Senate bill No. 2, Relative to salaries of State officers and officers of General Assembly

March 15. 1856

Attest A. ALLEN *Sec.*

RR. SPEAKER I have the honor to inform you that the Senate have receded from the vote on the report of the conference committee to whom was referred Senate Bill No. 2 Regulating the salaries of the State officers and officers of the General Assembly

Attest A. ALLEN *Sec.*

Mr. Zimmerman from committee on conference on Senate bill No. 2, made the following report which was adopted on motion of Mr. Abbott

Your Committee appointed to confer with the committee of the Senate in regard to the Salaries of State officers have had the subject under consideration and agree to and submit the following

Sec. 1st. The salary of the Governor shall be Twenty five hundred dollars 2,500—

Sec. 3d. The salary of the Auditor of State shall be fifteen hundred dollars 1,500—

Sec. 2d. The Salary of the Secretary of State shall be fifteen hundred dollars 1,500

Sec. 4. The salary of the Treasurer of State shall be fifteen hundred dollars 1,500—

Sec. 5. The Salary of the Attorney General shall be eight hundred dollars \$800—

Sec. 6. The Salary of the Clerk of the Supreme Court shall be three hundred dollars \$300—

Sec. 7. The salary of the Reporter of the Supreme Court shall be three hundred dollars \$300—

Sec. 24. This bill shall take effect from and after its passage

The committee of conference have agreed to amend the bill by prefixing seven sections and annexing one: all the sections of the bill to be numbered accordingly

E. R. ZIMMERMAN *Chairman*

Mr. Curtiss moved a reconsideration of the vote adopting the report which was lost

#### MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform you that the Senate have agreed to concur in the report of the conference committee on Senate bill No. 2.

Attest A. ALLEN *Sec.*

Mr. Tuton offered the following resolution which was adopted

*Resolved* that the Governor be notified that the House having gone through their business are ready to take recess until he has further business.

The Governor was notified of the passage of the resolution and informed the house that he had further business and the following message was received.

*To the Senate and House of Representatives*

GENTLEMEN I have this day approved and signed the following bills Senate bill No. 5. entitled an "act for the encouragement of agriculture in the State of Kansas" Senate bill No. 6. entitled "An act regulating the duties of the Governor and other officers of the State" Also Senate bill No. 8. entitled "an act establishing the price of public printing"

EXECUTIVE OFFICE March 15th. 1856 (Signed) C. ROBINSON

Mr. Edsall offered the following resolution which was adopted

*Resolved*, That the Senate be informed that the house have gone through with all of their business and are ready to take a recess until the 4th day of July next unless the Senate have further business to communicate

The Clerk was instructed to inform the Senate of the passage of the resolution

The Senate informed the House that there was no business to communicate and the

House then took a recess until the 4th Day of July 1856.

J. K. GOODIN *Chf Clk. H. Rep.*

TOPEKA, STATE OF KANSAS

JULY 4. 1856 12 o'clock M.

House of Representatives met pursuant to adjournment

Assistant Clerk Samuel F. Tappan called the house to order Roll called Sergeant at Arms sent for absentees

Roll called

Col. E. V. Sumner U. S. Army having now taken a position upon the platform interrupted the proceedings of the House and said

GENTLEMEN "I am called upon this day to perform the most painful duty of my whole life Under the authority of the President's proclamation I am here to disperse this Legislature and therefore inform you that you cannot meet. I therefore in accordance with my order command you to disperse

God knows I have no party feeling and will hold none so long as I hold my present position in Kansas I have just returned from the borders where I have been sending home companies of Missourians and now I am here to disperse you Such are my orders that you must disperse I now command you to disperse I repeat that this is the most painful duty of my whole life But you must disperse

P. C. Schuyler a spectator asked

"Col. Sumner are we to understand that the Legislature is dispersed at the point of the bayonet?

Col. Sumner replied "I shall use the whole force under my command to carry out my orders"

The House thereupon dispersed

S. F. TAPPAN *Asst Clk*

TOPEKA TUESDAY

JAN 6th. 1857, 12. o'clock. M.

In a cordingance with the provisions of the Constitution House met.

In the absence of the Speaker the House was called to order by J. K. Goodin Chief Clerk.

Prayer by Rev. Walter Oakley. On motion John Hutchinson was elected Speaker *pro tem* who being duly inducted into office addressed the House in a few appropriate remarks.

On motion of Mr. Abbott, a committee of three was appointed by the chair to examine the credentials of new members. Committee Mess. Abbott, Williams and Dickey

On motion House adjourned until tomorrow at 10. o'clock

J. K. GOODIN *Chf. Clk.*

#### HOUSE OF REPRESENTATIVES

WEDNESDAY 10, o'clock A. M. Jan. 7th, 1857

House met—Prayer by Rev. Oakley

On motion of Mr. Abbott the calling of the roll was dispensed with—Minutes read and approved—

The Committee on credentials reported "that they had examined the credentials of Mr. Taber [Tator] of 5th district, Abram Cutler, Robert Morrow and Robert McFarland of the first district, J. A. Beam of the Second district and Mr. Gilpatrick of Third district, and from the vote returned declared that they were duly elected as members of this body and entitled to their seats as Representatives in the Legislature of Kansas."

The report of the Committee was received, approved, and the Committee discharged, and the Oath of Office taken by Mess. Cutler, Morrow, McFarland, Beam & Tator

On motion of Mr. Tabor, the House proceeded to the election of a sergeant at arms *pro-tem* Mr. A. W. Moore being the only person nominated for that office was by acclamation duly elected and qualified.

On motion of Mr. Blood a Committee of three were appointed consisting of Mess. Blood, Dickey and Tabor to prepare and report at an early day a memorial to Congress asking for the admission of Kansas as a State under her Constitution

On motion of Mr. Tabor a committee of three were appointed to prepare an election law for the regulation of the next election for State Officers and Members of the Legislature. The Speaker appointed Mess. Abbott, Landers, & Williams.

On motion of Mr. Williams the House proceeded to the election of a Speaker, Mr. John Hutchinson being the only person nominated was unanimously elected, who having been inducted to his seat, addressed the House in a few pointed and pertinent remarks. On motion of Mr. Abbott, House proceeded to the election of Chief Clerk. J. K. Goodin being the only person nominated was unanimously elected and assumed the duties of his office. The House then proceeded to the election of First Assistant Clerk, whereupon Samuel F. Tappan [was] duly elected. Caleb S. Pratt was elected Enrolling Clerk, A. W. Moore Sergeant at Arms, D. H. Horne Assistant Sergeant at Arms, and O. P. Stone Door Keeper—David Seagraves was elected messenger.

On motion of Mr. Blood House adjourned.

J. K. GOODIN *Chf Clk H. R.*

HOUSE OF REPRESENTATIVES

JAN. 8th 1857 10 O'clock A. M.

The Speaker having been arrested by Deputy Marshall Pardee House was called to order by First Assistant Clerk S. F. Tappan—Prayer by Rev. Oakley. Mr. Robert Morrow on motion of Mr. Walker was unanimously elected Speaker *pro-tem*. On motion the Two Houses resolved themselves into joint session to receive the report of the Committee on Memorial. Mr. Blood Chairman of said Committee then presented the following report which was adopted, and on motion of Mr. Williams, it was resolved, that the report be signed by the Officers of the two houses and then returned to the Committee to be forwarded to Congress now in session

*"To the Honorable the Senate and House of Representatives of the United States:"*

"Your memorialists members of the Legislature of Kansas under the Topeka Constitution, at their annual convocation, respectfully submit to your Honorable Body the grievances of our constituents for which we ask redress.

"You cannot be insensible to the fact that the position which the people of Kansas are compelled to occupy before the World, is one of strange and singular character. The organic act by which this Territory was open to settlement, without distinction of party, gave promises of protection to all who might avail themselves of its provisions, confidently relying on the ability and integrity of the Government to maintain in good faith the spirit and substance of the Law, the people of Kansas, becoming the actual settlers of the soil, and in that capacity have prepared for themselves a State Government, by framing a Constitution, and electing Representatives to provide for their interests by Legislation.

"The causes which impelled the people to resort to this organization were simple and obvious to every attentive observer of our History as a political community. In the outset, we were without local laws to regulate our internal affairs. The power to accomplish this indispensable duty, was, it is conceded, conferred upon the people, by the terms of the organic act. The attempt to exercise it in the first instance proved abortive; resulting as it did in a wholesale and monstrous usurpation of power by a horde of unscrupulous partizans—strangers to our soil—in the prostration of the People, who were first defrauded, and afterwards disfranchised of their political privileges under enactments which have no one element of law in their structure, and no single pretence of justice in the results sought to be accomplished.

"To remedy and repair this disgraceful and unhappy state of public affairs, the people were forced to seek some organization whereby to conserve and keep alive the germ of their constitutional freedom. In this spirit the scheme of a State Organization was submitted to the consideration of the Territory. Ample, and abundant time for reason and reflection—comporting with the dignity and importance of the step was offered. The principles by which the soundness of this scheme was to be tested, were carefully analyzed and examined in primary meetings & delegate Conventions irrespective of party until the subject seemed fully exhausted. The result is before the country in the Constitution for a State framed at Topeka by the people chosen for that purpose. That instrument was subsequently submitted for popular approval or rejection, and was adopted with singular unanimity considering the important character of the topics involved, some of which had been the subject matter of long and acrimonious controversy.

"The fate of this experiment has been watched with unspeakable solicitude by those who conceived their interests as a people to be indissolubly connected with the final establishment of its supremacy in the State. From day to day, the evidences of a growing popularity extended the movement, which have been multiplied around us on every hand.

A singular controversy has prevailed in Congress, as well as in the political world at large, relative to the merits of this movement, and the motives



which Originated it. Those who act with the party now administering the Government have professed to discover *treason* lurking in its secret folds. The fires of vituperation have been kindled, and the purity and purpose of the people have been vehemently and continually assailed.

"It is respectfully suggested, that it would be much more honorable, and to the point, to indicate some material political untruth in the theory upon which we rely to sustain our practical efforts in this organization. It is difficult if not impossible to see how hostility to the Constitution of the United States, can be justly ascribed to those who can fully conserve the principles which under lie that instrument, by studiously searching for, and scrupulously observing the will of the people legitimately declared.

"To this extent and no more, are we guilty of any infraction of Republican principles. We have steadily disclaimed and now reiterate the disclaimer, that any disloyalty toward the regularly constituted authorities of the General Government was purposed, or practiced. On the other hand, no positive or affirmative power whatever, has been exercised. Our actions have been made to conform to the theory, that the General Government alone, could infuse vitality into the forms simply prepared before hand to receive it, and direct it at once to the relief of our oppressed and outraged people.

"Fully preserving this idea, and intending to solicit at every opportunity the attention of Congress to our grievances as a people, respectfully indicating at the same time the State Organization as the remedy we deem best adapted to our political exigencies, we pray now, as ever hitherto done, that this work of a free spirited and intelligent people, may by your sanction and approval, be made operative and efficient to the great end for which it was prepared.

"Thus we ask for the protection of your Honorable body, whose province and whose constitutional duty it is to afford it. As faithful and obedient citizens, we are entitled to this inalienable right—we are entitled to it by all the glorious events of our history as a nation in whose fame, we in common with the whole American People feel a just pride; and we most respectfully submit whether our humble and repeated petitions for redress are to be answered only with contempt. May not the noble example of those who in the earliest days of the Republic struggled for Constitutional Freedom, suggest a course, which it will be our right and our duty to adopt? And your memorialists will ever pray"

Signed J. BLOOD  
M. C. DICKEY  
H. W. TABOR"

On motion of Mr. Pillsbury, the convention adjourned *Sine-die*.

House came to order and it having been ascertained that a quorum was not present on account of the recent arrest of its members by the United States Deputy Marshall, Mr. Blood offered the following concurrent resolution which was adopted.

*Resolved:* That the General Assembly —The Senate concurring do now take a recess until the Second Tuesday of June next, at 12. O'clock, M.

On motion the rules were suspended and the resolution went through a second and third reading and was passed

House took a recess until 2nd Tuesday in June, A. D. 1857. 12 o'clock M.

Signed SAM'L F. TAPPAN 1st Ass't Clerk

#### HOUSE OF REPRESENTATIVES

TOPEKA, K. T. 12 o'clock M. June 9, 1857

House met pursuant to adjournment

Prayer by Rev. Mr. Foster

Records of previous meeting read and approved

On motion of Mr. Williams the Chair appointed Mess Dickey Walker

and Williams a committee to examine and report on the Credentials of members.

On motion of Mr. Jameson House adjourned till Wednesday 9 o'clock A. M.  
J. K. GOODIN *Ch'f Clk H. Rep*

HOUSE OF REPRESENTATIVES

WEDNESDAY June 10th 1857 9 o'clock A. M.

House met pursuant to adjournment Speaker in the Chair

Prayer by Rev. Dennis

Roll called Minutes Read and approved

On motion Charles Lenhalt was elected Sergeant at Arms pro tem

On motion of Mr. Frost committee on credentials made the following report

Your committee on credentials report that they have examined the certificates of election of

A. Wattles	}	of 5th district
W. F. M. Arney		
Dr. Blunt		
Henry McKee		
and Henry Harvey	}	of 6th district
William K. Beach		
Charles F. Lenhart		
and L. F. Carver		of 4th district

and find them correct and recommend them to seats in this House

M. DICKEY *Chairman*

Report of the Committee was received and adopted

Mess Arney Leonhart Foster Harvey Beach & Carver being present the oath of office was administered and they entered upon the discharge of the duties of their office

On motion of Mr. Frost House took a recess until 3 o'clock P. M.

3 O'clock P. M.

House met—Roll called. On motion of Mr. Dickey House took a recess until 8 O'clock P. M. this evening

J. K. GOODIN *Chf Clk H. Rep.*

8, O'clk Evening Session

House met, and on motion adjourned until to-morrow morning 9 O'clock

J. K. GOODIN *Ch'f Cl'k H. Rep.*

HOUSE OF REPRESENTATIVES

THURSDAY June 11, 1857

House met Speaker in the Chair Prayer by Rev. Foster Roll called minutes read and approved The Chairman of committee on Credentials reported that they had examined the credentials of O. H. Drinkwater A. R. Button C. W. Giddings of the 8th district and Wm. E. Bowker of the 9th district and finding them correct recommend them to seats in this body Mess Bowker Giddings Button Drinkwater took the oath of office and entered upon the discharge of their duties

It being announced by the Chair that no quorum was present On motion the House took a recess until 1½ o'clock P. M.

1 ½ o'clock P. M.

House met Roll called Mr. Walker moved a recess until 4 o'clock P. M.  
motion lost

Mr. Abbott offered the following resolutions

*Resolved* J. M. Tuton 2d Thomas Minard Mr. Mudeater Mr. Gosling  
12th G. W. Stephens 11th Thomas Platt 7th B. R. Martin B. H.  
Brock Wm. Bayless Sam'l Baldwin & Isaac Hamby of the 10th having  
failed to be present at the two last sessions of this Legislature We therefore  
declare their seats vacant. carried

Also the following

*Resolved* that the Speaker appoint a committee of two members to  
inform the Senate that the House is now fully organized and prepared to  
proceed to business carried

*Resolved* The Senate concurring that the Speaker appoint a committee  
of two members to meet a similar committee of the Senate and to inform  
the Governor that both houses are fully organized and ready to receive  
any communication that he may see proper to make carried—

Message from the Senate

MR. SPEAKER I have the honor to inform that the Senate is organized  
and ready for business under a resolution herewith appended

*Resolved* that the Secretary of the Senate inform the House of Rep.  
that the Senate is fully organized & ready for business

Chair appointed Mess Cutler & Foster of Mapleton On motion of Mr.  
Blood adjourned until 8 o'clock P. M.

8 o'clock P. M.

On motion of Mr. Blood

*Resolved* the Senate concurring a committee of three be appointed to  
prepare a memorial to Congress asking for admission into the union as a  
state

Committee Blood Foster of Mapleton McClure

#### MESSAGE FROM THE SENATE

*Resolved by the Senate & the House of Representatives* That a committee  
of two be appointed to act in conjunction with a similar committee ap-  
pointed by the House of Representatives to wait upon the Governor and  
inform him that the Senate and House of Representatives are organized  
& ready to receive any communications he may see proper to make

Resolution concurred in

#### MESSAGE FROM THE GOVERNOR

On motion of Mr. Blood 5000 copies were ordered to be printed for use  
of the House in the English language and on motion of Mr. — it was  
ordered that 1000 copies be printed in the German language

On motion adjourned till 9 o'clock Friday morning

#### HOUSE OF REPRESENTATIVES

JUNE 12th. 1857

House met prayer by Rev. Foster Roll called Minutes read and  
approved The Speaker reported the following as additional members of  
the Standing Committee

Com on Education	Leonhart Arney Carver
" " Corporation	Morrow Tator
" " Elections	{ Foster of Ossawatamie } Foster of Mapleton & Carver
" " Ways and means	Tator Beach Cutler
" " Judiciary	Foster of Ossawatamie Blunt & Tator
" " Agriculture	Arney & Bowker
" " County Lines	Walker & Abbott
" " Public Roads	Giddings Harvey & Cutler
" " Vice and Immorality	Foster of Mapleton & Beam
" " Internal Improvements	McFarland Drinkwater Button

Mr. Arney presented the following memorial from the Mayor of Hyatt which was referred with a bill for the incorporation of Hyatt to the Committee on Corporations

#### MEMORIAL

*To the Senate and House of Representatives of the State of Kansas in Legislature assembled* In behalf of the citizens of the town of Hyatt I beg leave most respectfully to present the following resolution which was unanimously adopted by our citizens at their town meeting held on the 2d day of May last

*Resolved* that the mayor be and is hereby authorized to apply to the State Legislature of Kansas at its next session asking for an act of incorporation for our town in accordance with articles of fraternization

In compliance with this Resolution I would humbly pray your honorable body to grant to the town of Hyatt an act of incorporation in accordance with the bill for an act for the incorporation of the Town of Hyatt which is herewith submitted and your petitioners as in duty bound will ever pray

W. F. M. ARNEY

*Mayor of the Town of Hyatt Kansas*

Mr Leonhart presented the following memorial which was referred to the Committee on corporations

*To the Honorable members of the Legislature of the State of Kansas*

We the undersigned citizens of the Town of Emporia State of Kansas do hereby petition your honourable body to grant to the said Town of Emporia a municipal charter providing for the election of officers and the full and complete organization of the aforesaid Town for all necessary purposes of local government in terms and forms corresponding to the charter which may be granted to the town of Hyatt in said State of Kansas

(Signed)

D. A. PAINTER

N. E. COPLEY

P. B. PLUMB

J. STILLER

C. CLAMSON

W. H. KENDALL

W. C. LARRABEE

And S. FRAZIER

CHARLES O. W. LEONHARDT

RICHARD J. HINTON

On motion of Mr. Foster of Ossawatamie James Bunker and George H. McIntire were elected messengers to the House

Mr. Blood presented a bill providing for taking the census of the State of Kansas

On motion of Mr. Morrow

The rules were suspended and the bill was read a second time by the title and referred to a special committee of 5 viz. Morrow McClure Foster of Ossawatamie Sparks and Cutler



Mr Carver offered the following resolution

Resolved that the Sergeant at Arms is directed to number the seats and place the numbers on each seat in order that members may select seats in such manner as the House shall direct carried

#### MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform that the Senate have passed the following joint resolution

Resolution—Resolved by the Senate and House of Representatives that the bill providing for a general election law be referred to a joint committee of three from each House J. F. Cummings Sec. Sen.

On motion of Mr. Blood the resolution was concurred in

The Chair appointed Mess Abbott Foster Saunders said committee

#### MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform that the Senate have passed the following concurrent resolution

Resolved by the Senate the House of Representatives concurring that this General Assembly adjourn on Saturday the 13th inst

On motion of Mr. Morrow voted that the concurrent resolution be laid on the table until tomorrow morning at 9 o'clock

On motion of Mr. Foster the rules were suspended and Mr. Blood was allowed to present a bill "An act to define the boundary lines of counties. on motion the rules were suspended and the bill passed its first reading and on motion was referred to the committee on New Counties and County lines

On motion of Mr. Blood House adjourned till 8 o'clock P. M.

Chairman of Committee on Education reported a bill entitled "an act for an educational system for the State of Kansas" Bill read first time

On motion of Mr. Blood the rules were suspended and the census bill was taken up and read a 3d time and passed

The title to the bill was adopted as read

On leave Mr. Blood introduced a bill entitled an act for the incorporation of towns Read a first time The rules being suspended the bill then passed to its second & third reading & was passed Yeas 21 Nays 5

Yeas. Arney Abbott Bowker Beam Beach Cutler Carver Dickey Foster of Mapleton Foster of Ossawatamie Gilpatrick Giddings Harvey Jamison Leonhardt Morrow McFarland Tabor Tator Todd Williams

Nays Blood Frost Orr Sparks Walker

The bill was then read by its title and adopted

On leave Mr. Arney presented a bill for the incorporation of the State Agricultural Society of Kansas Bill was read a first time Rules Being suspended bill passed to its second reading

On motion of Mr. Blood House adjourned until tomorrow morning at 8 o'clock

#### HOUSE OF REPRESENTATIVES

JUNE 13. 1857 8 o'clock A. M.

House met. Speaker in the Chair

Prayer by Rev. Foster

Minutes read and approved

Committee on new Counties and County lines reported back bill on new Counties & County lines with amendments by Mr. Walker Chairman

On motion of Mr. Tabor the bill as amended was passed to a second reading

On motion of Mr. Blood the bill was reported back to the same committee

Mr Dickey chairman of committee on Credentials reported that rM. Phillips from the first district was entitled to a seat in this house

Report adopted

Mr. Phillips came forward and took the oath of office

Mr. Walker from committee on New Counties and County lines reported a bill a substitute for the bill for establishing County lines

Bill read, first time

On motion the rules were suspended and the bill was read a second time by its title

On motion of Mr. Blood it was voted to amend the bill by inserting 6th in place of 1st where it occurs before the meridian line

The word suhwano was amended by striking the letter h in the first syllable

On motion the bill was further amended by adding "this act shall take effect from and after its passage"

On motion the rules were suspended and the bill was read a third time by its title

On motion of Mr. Phillips the bill was amended by inserting as a preamble "Whereas the taking of the census requires the immediate use of this bill therefore it shall take effect from and after its passage" bill put upon its final passage and passed The title as read was adopted

Mr. Foster, Chairman of Committee on Election reported a bill entitled "An act regulating Elections"

Mr. Saunders presented a bill providing for the incorporation of towns

Rules suspended and the bill in relation to regulating election was read a first time by its title

On motion the rules were suspended and the bill relating to regulating elections was read a second time by its title

On motion the rules were suspended and the bill was read a third time Mr Phillips offered the following amendment to the bill

"Preamble Whereas the early date of the first election requires the immediate use of this bill therefore it shall take effect from and after its passage

On motion of Mr. Cutler the rules were suspended Yeas 26 Nays 1

Yeas Arney Abbott Blood Bowker Button Beam Beach Cutler Carver Dickey Drinkwater Foster of Mapleton Gilpatrick Giddings Harvey Jameson Morrow McFarland McClure Orr Saunders Sparks Tabor Tator Walker Williams Phillips

Nays Frost

On motion the bill passed Yeas 30, Nays 0

Yeas Arney Abbott Blood Bowker Button Beam Beach Cutler Carver Dickey Drinkwater Foster of Mapleton Foster of Ossawatamie Frost Gilpatrick Giddings Harvey Jameson Leonhardt Morrow McFarland McClure Orr Phillips Saunders Sparks Tabor Tator Walker & Williams

On motion of Mr. Cutler the rules were suspended Yeas 25 Nays 4

Yeas Arney Abbott Blood Bowker Button Beach Cutler Carver Dickey

Drinkwater, Foster of Mapleton Foster of Ossawatamie Frost Gilpatrick Giddings Harvey Jameson Leonhardt Morrow McFarland Saunders Tabor Tator Walker Williams

Nays Beam McClure Orr Sparks and the bill was read a first time by its title on motion of Mr. Cutler

On motion of Mr. Foster of Ossawatamie the rules were suspended Yeas 27, Nays 3.

Yeas Arney Abbott Blood Bowker Button Beam Beach Cutler Carver Dickey Drinkwater Foster of Mapleton Foster of Ossawatamie Frost Gilpatrick Giddings Harvey Jameson Leonhardt Morrow McFarland Saunders Tabor Tator Walker Williams Phillips

Nays, McClure Orr Sparks—on motion of Mr. Abbott and the bill was read a second time by its title

On motion of Mr. Cutler the rules were suspended Yeas 27 Nays 3

Yeas Arney Abbott Blood Bowker Button Beam Beach Cutler Carver Dickey Drinkwater Foster of Mapleton Foster of Ossawatamie Frost Gilpatrick Giddings Harvey Jameison Leonhardt Morrow McFarland Phillips Saunders Tabor Tator Walker Williams

Nays McClure Orr Sparks  
and the bill was read a third time and passed Yeas 26, Nays 3.

Yeas Arney Abbott Blood Bowker Button Beam Beach Cutler Carver Dickey Drinkwater Foster of Mapleton Foster of Ossawatamie Gilpatrick Giddings Harvey Jamison Leonhardt Morrow McFarland Phillips Saunders Tabor Tator Walker Williams

Nays McClure Orr, Sparks

The title to the bill as read was adopted

#### MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform you that the Senate have concurred in the passage of House bill No. 1, entitled an act for taking the census and to provide for the apportionment of Representatives of the State of Kansas

signed ASAPH ALLEN *Sec. Senate.*

On motion the rules were suspended to allow bill in relation to County organization to be read a first time Yeas 28 Nays 0

Yeas Arney Abbott Blood Bowker Button Beam Beach Cutler Carver Dickey Drinkwater Foster of Mapleton Foster of Ossawatamie Gilpatrick Giddings Harvey Jameson Leonhardt Morrow McFarland Orr, Phillips Saunders Tabor Tator Walker Williams

Yeas 28 Nays 0.

On motion the House took a recess until 2 o'clock P. M.

2 o'clock P. M.

The bill in relation to County organization was read a first time

On motion the rules were suspended Yeas 25 Nays 1.

Yeas Arney Abbott Blood Bowker Button Beam Beach Cutler Carver Dickey Drinkwater Foster of Mapleton Foster of Ossawatamie Frost Gilpatrick Giddings Harvey Jameson Leonhardt McFarland Saunders Tabor Tator Walker

Nays McClure and the bill was read a second time

On motion the rules were suspended that the bill might be read a third time Yeas 25 Nays 1.

Yeas Arney Abbott Blood Bowker Button Beam Beach Cutler Carver Drinkwater Foster of Mapleton Foster of Ossawatamie Frost Gilpatrick Giddings Harvey Jamison Leonhardt Morrow McFarland McClure Orr Phillips Saunders Sparks Tator Todd Williams Nays McClure, and the bill was read a third time and passed Yeas 28, Nays 0

Yeas Arney Abbott Blood Bowker Button Beam Beach Cutler Carver Dickey Drinkwater Foster of Mapleton Foster of Ossawatamie Frost Gilpatrick Giddings Harvey Jamison Leonhardt McFarland Orr Phillips Sparks Tabor Tator Walker Williams

On motion it was voted that the bill be known by its title as read.

MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform that the Senate has passed the following Joint Resolution relative to memorializing Congress for admission into the union as a State

*Resolved* By the Legislative Assembly of the State of Kansas That It shall be the duty of the persons appointed to take the census of the people of Kansas to present at the same time a memorial to congress for the signatures of the legal voters asking for the immediate admission of Kansas into the union as a State and that said memorial with the signatures attached be returned with the census list to the Governor

ASAPH ALLEN *Sec. Senate.*

On motion the House voted to concur in the resolution of the Senate. Yeas 25 Nays 2.

MESSAGE FROM THE SENATE

MR. SPEAKER, I have the honor to inform that a bill entitled "An act for the location of the seat of Government for the State of Kansas has passed the Senate and they would respectfully ask a concurrence of the House therein

ASAPH ALLEN *Sec. Senate*

On motion the rules were suspended in order that the bill in relation to location of Capitol might be read a first time, Yeas 24, Nays 4

Yeas Arney Abbott Bowker Button Beam Beach Carver Dickey Drinkwater Foster of Mapleton Frost Gilpatrick Giddings Harvey Jamison Leonhardt McFarland Orr, Phillips Saunders Sparks Tabor Walker Williams Nays Blood Cutler, Foster of Ossawatamie Tator

On motion the rules were suspended Yeas 28 Nays 0

Yeas Arney Abbott Blood Bowker Button Beam Beach Cutler Carver Dickey Drinkwater Foster of Mapleton Foster of Ossawatamie Frost Gilpatrick Giddings Harvey Jamison Leonhardt McFarland Orr, Phillips Saunders Sparks Tabor, Tator Walker Williams

On motion the rules were suspended to allow the bill to be read a third time

The bill was amended by inserting the word "act" in the title and striking out the word "bill" and on motion the bill was read a third time and passed Yeas 26 Nays 2.

Yeas Arney Abbott Blood Bowker Button Beam Beach Cutler Carver Dickey Drinkwater Foster of Mapleton Frost Gilpatrick Giddings Harvey Jamison Leonhardt McFarland Orr, Phillips Saunders Sparks Tabor, Tator, Walker 26 Nays, Foster of Ossawatamie Williams

voted that the bill be known by its title as read A bill providing for an



act for the establishment of a State university was read the first time moved that the rules be suspended to allow the reading of a bill establishing the State University a second time, motion lost. Yeas 15 Nays 13

Yeas Abbott Blood Button Beam Beach Cutler Dickey Foster of Mapleton Frost Giddings Jamison McFarland Phillips Saunders Tator

Nays Arney Bowker Carver Drinkwater Gilpatrick Harvey Leonhardt McClure Orr, Sparks Tabor Walker Williams

On motion of Mr. Carver the bill in relation to the establishment of a State agricultural society was read a second time

On motion of Mr. Foster it was voted that the further consideration of the bill be indefinitely postponed

Roll called and Sergeant at Arms sent for absentees

On motion of Mr. Walker the vote refusing to suspend the rules in order to pass the bill in relation to a State University to a second reading was reconsidered and the rules were suspended Yeas 27, Nays 2

Yeas Arney Abbott Blood Button Beam Beach Cutler Carver Dickey Drinkwater Foster of Mapleton Foster of Ossawatamie Frost Gilpatrick Giddings Harvey Jamison Leonhardt McFarland Orr Phillips Saunders Sparks Tabor Tator Walker Williams

Nays Bowker McClure and bill was read a 2d time

Mr Phillips moved an amendment to the bill that the names of W. F. M. Arney W. Y. Roberts S. L. Adair & C. F. W. Leonhardt be added to the number of trustees motion carried

Mr. McClure moved to amend by inserting the word "Manhattan" instead of "Lawrence" motion lost

Mr. Williams moved to amend by inserting the word "Centropolis" in place of "Lawrence" motion lost

And bill was read a third time and passed Yeas 26, Nays 3

Yeas Arney Abbott Bowker Button Beam Beach Cutler Carver Dickey Drinkwater Foster of Mapleton Foster of Ossawatamie Frost Gilpatrick Giddings Harvey Jamison Leonhardt McFarland Orr Phillips Saunders Sparks Tabor Tator Walker

Nays Blood McClure Williams

#### MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform the House of representatives that the Senate have had under consideration House bill No. 4, entitled an act to regulate general elections and have passed the same with amendments which they respectfully ask the house of Representatives to concur with  
(signed) ASAPH ALLEN *Sec Senate*

Mr. Foster moved to amend the bill as amended by the Senate by adding the words "this act shall take effect from and after its passage" motion carried

#### MESSAGE FROM THE SENATE

MR. SPEAKER. I have the honor to inform that the Senate has concurred in House amendment to "Senate Bill" No. 1.  
signed A. ALLEN *Sec. Senate*

Mr. Foster moved to amend bill to regulate general elections by adding the words "and annually thereafter" motion carried.

Mr. Carver moved to amend same bill was amended by striking out fourth section motion carried

Mr Phillips moved to amend by inserting the following "Sec 4 That the provisions of this act shall apply to any special election which may be called by proclamation of the Governor," motion carried

On motion the bill as amended was passed.

On motion of Mr. McClure the title to the bill was amended by striking out the words "Elections for the year 1857 and inserting "Elections for the State of Kansas" and the title as amended was adopted

A motion to suspend the rules to pass the bill relating to education to a third reading was lost and on motion the bill was referred to the next legislature

Mr. Blood moved that a committee of three be appointed to investigate the claims of W. F. M. Arney to a seat in this House,—motion withdrawn

On motion of Mr. Dickey House adjourned until 8 o'clock P. M.

#### SATURDAY EVENING SESSION

House came to order at 8 o'clock P. M.—roll called

On motion of Mr. Foster of Mapleton a committee of three was appointed to compare bills

Committee Mess. Foster of Mapleton Dickey Tator

The following resolution was offered

*Resolved* the Senate concurring that the House will adjourn at 11 o'clock P. M. of Saturday the 13th. inst.

The resolution was laid on the table

Mr. Foster of Ossawatomie moved that the words sine die be added motion lost

#### MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform that the Senate have concurred in House amendments to House bill No. 4.

Also that the Senate have passed House bill No. 7 with amendments and respectfully ask the concurrence of the House to the same

Signed ASAPH ALLEN *Sec. Senate*

Amendments to House bill No. 7 in the Senate 1st, Strike out in the first section "W. F. M. Arney" 2nd, add in the first section Robert McBratney Geo. S Hillyer James F. Forman J. K. Judson S. M. Irvin Benjamin Harding Edmund Fish

The Senate amendment No 2 was concurred in amendment No. 1. was nonconcurred in

Yeas & Nays on noncurrence being ordered resulted Yeas 15 Nays 12

Yeas Bowker Button Beam Carver Dickey Drinkwater Foster of Mapleton Foster of Ossawatamie Giddings Harvey Leonhardt McFarland Phillips Tabor & Williams

Nays Abbott Blood Beach Cutler Frost Jamison McClure Orr Saunders Sparks Tator Walker

Mr Walker offered the following resolution

*Resolved* the senate concurring that the General Assembly adjourn sine die at 12 o'clock P. M. the 13th inst

Mr. Blood moved to amend by striking "12 o'clock P. M. the 13th inst" and inserting "12 M last Saturday in June"

On motion the Resolution and amendment were laid upon the table

## MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform that the following bill supplementary to the census bill has passed the Senate & respectfully ask your concurrence in the same

On motion to suspend the rules for the 2d reading of the bill supplementary to the census act, Yeas and Nays being ordered resulted Yeas 25, Nays 0.

Yeas Arney Abbott Blood Bowker Button Beam Beach Dickey Drinkwater Foster of Mapleton Foster of Ossawatamie Giddings Harvey Jamison Leonhardt McFarland McClure Orr Saunders Sparks Phillips Tabor Tator Walker Williams and the bill was read a second time

On motion to suspend the rules for a third reading Yeas and Nays being ordered resulted as follows Yeas 25 Nays 0.

Yeas Arney Abbott Blood Bowker Button Beam Beach Dickey Drinkwater Foster of Mapleton Foster of Ossawatamie Giddings Harvey Jamison Lionhart McFarland McClure Orr Phillips Saunders Sparks Tabor Tator Walker Williams

On motion the house took a recess for 20 minutes

Committee appointed to compare Bills reported by their Chairman Mr Foster of Mapleton

Mr. Abbott offered the following resolution

*Resolved* that the Auditor be and is hereby authorized to issue Scrip to the members of this assembly and officers of State for the amount due them for their services according to law Resolution not acted upon

## MESSAGE FROM THE SENATE

MR. SPEAKER I have the honor to inform that the Senate has passed the following concurrent resolution respectfully asking the concurrence of the House of Representatives to the same

*Resolved* the House of Representatives concurring that the General Assembly do adjourn sine die at 11½ o'clock P. M.

A. ALLEN *Sec Senate*

Mr. Blood moved to amend by inserting at 12 M. in the first Monday in July next motion carried

On motion of Mr. Cutler the vote was reconsidered and the House concurred in the Resolution of the Senate to adjourn at 11½ o'clock P. M.

## MESSAGE FROM THE SENATE

MR. SPEAKER I am directed to inform the House of Representatives that the Senate have not concurred in House amendment on Resolution relative to adjournment

## MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE

TOPEKA June 13, 1857

*To the Senate and House of Representatives State of Kansas*

GENTLEMEN I have this day signed an "act providing for the annual election for the year 1857 and annually thereafter"

signed C. ROBINSON

On motion of Mr. Walker a "vote of thanks for the able and impartial and dignified manner in which he has performed the duties of his office" was given to the Speaker

Mr McClure offered the following resolution which was adopted

*Resolved* that the thanks of this house be tendered to the Chief Clerk and assistants for the prompt and efficient manner in which they have performed their arduous duties

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

TOPEKA, June 13, 1857

*To Senate and House of Representatives of State of Kansas*

I have this day approved the following acts viz:—

An act for the location of the seat of Government for the State of Kansas

An act for taking the census and to provide for the apportionment of Representatives of the State of Kansas

An act entitled A supplement to an act entitled an act for taking the census and to provide for the apportionment of Representatives of the State of Kansas

Also a joint resolution relative to memorial to congress An act to establish the State University

signed C. ROBINSON

House adjourned Sine die







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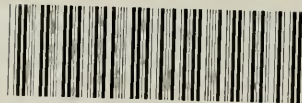








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